

**CITY OF CALEXICO
AGENDA REPORT**

**SUBJECT: AMENDMENT TO THE VENEZIA TENTATIVE SUBDIVISION MAP
(AMENDMENT OF CONDITIONS OF APPROVAL) UNIFORM
APPLICATION NO. 2003-73**

AGENDA DATE: NOVEMBER 5, 2008

**PREPARED BY: ARMANDO G. VILLA, DIRECTOR OF PLANNING AND
DEVELOPMENT SERVICES**



**APPROVED FOR
AGENDA BY: RALPH VELEZ, CITY MANAGER**

RECOMMENDATION

It is recommended that the City Council conduct the duly noticed public hearing to consider the following applications:

- Supplement to the Mitigated Negative Declaration (SMND) for the Venezia Subdivision Amendment: the City of Calexico prepared the SMND in accordance with provisions contained in the California Environmental Quality Act (CEQA), Section 15162 and 15164 CEQA Guidelines (Section 15000 et seq.);
- Venezia Tentative Subdivision Map Amendment: The Amendment to Tentative Subdivision Map (TSM) results from the amendment of certain Conditions of Approval and Mitigation Measures as originally approved dealing with circulation and roadway alignment. The TSM Amendment is prepared in accordance with provisions and requirements of the California Subdivision Map Act, and Chapter 16 "Subdivisions" and Chapter 17 "Zoning" of the Calexico Municipal Code.

BACKGROUND

At their regular meeting of September 22, 2008, the Planning Commission approved Resolutions No. 2008-15 and 2008-016 recommending approval and adoption of Supplement to the Mitigated Negative Declaration (SMND) for the Venezia Subdivision Amendment and Venezia Tentative Subdivision Map Amendment. This project was originally scheduled for Planning Commission consideration on July 28, 2008 and on August 25, 2008. On both occasions, the applicant requested continuation pending discussion with staff over clarification of proposed conditions of approval. The Planning Commission granted continuation to September 22, 2008. Staff held several meetings in which several proposed Conditions of Approval have been modified and clarified. The applicant has agreed to proceed as conditions are proposed.

REPORT TO THE CITY COUNCIL

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The original Venezia project and requested discretionary applications were submitted to the City on April 2004. A revised plan was later submitted in January 2005. In January 2005, an Initial Study was prepared and determined that the project qualified for preparation of a Mitigated Negative Declaration. Consideration to approve the Final MND was continued over an extended period to further evaluate and provide appropriate mitigation for the following impacts: street access, school impacts, water/sewer capacity and service, and consistency with surrounding anticipated development. In February 2006, the Planning Commission recommended approval to the City Council of the Venezia project and the requested discretionary applications.

The Venezia project was subsequently approved by the City Council on March 21, 2006. The overall project entailed several discretionary applications which included the approval of: 1) Annexation; 2) General Plan Amendment; 3) Pre-Zoning/Zone Change; 4) Tentative Subdivision Map; and 5) Certification of Mitigated Negative Declaration. All the above proceedings were completed in August 2007 with the official annexation of the project into the corporate boundaries of the City of Calexico.

PROJECT LOCATION AND SETTING

The Venezia development site is currently vacant and is located on the eastern boundaries of the city along Hwy 98 and Bowker Road. It is currently being used for agricultural purposes pending resolution project and development issues. The site is bounded on the north by the All-American Canal, on the west by State Hwy 98, and on the south by agriculture land.

PROJECT DESCRIPTION

- Supplement to the Mitigate Negative Declaration

This document is a Supplement to the 2005 document entitled, "Mitigated Negative Declaration Venezia, Annexation, General Plan Amendment, Zone Change, and Tentative Subdivision Map", that was prepared by Development Design and Engineering (under the supervision of the City of Calexico) and which was approved by the City of Calexico in 2006 for the Venezia Subdivision project, and its applications for Annexation, General Plan Amendment, Zone Change, and Tentative Subdivision Map approval. In 2005, another applicant, CM Ranch proposed another residential development near the Venezia project site. The 2005 Mitigated Negative Declaration (MND) environmentally cleared and evaluated the Venezia project based on the proposed development of the CM Ranch project. In February 2008, the City of Calexico City Council adopted Ordinance No. 1067 which officially revoked all approvals of the CM Ranch project and its required roadway improvements. This Supplemental MND addresses and evaluates those changes to the 2005 MND that have resulted due to the revocation of City approvals of the CM Ranch project.

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- Tentative Subdivision Map

The requested amendment does not seek to amend the approved conceptual design of the map. The original map approval continues to exhibit the following characteristics:

- 249 single-family residential lots;
- Park facilities and retention basin;
- Park/Open Space;
- Detention Basin;
- Commercial.

When the Venezia Subdivision was originally approved by the City in 2006, the project was conditioned and required to provide specific offsite roadway improvements that were predicated upon other roadway improvements to be constructed by the adjacent CM Ranch. Since CM Ranch's project approvals have been revoked, its roadway improvements will not be constructed. Accordingly, Venezia's plans for development and roadway improvements now require revision and "readjustment". Those revised Venezia plans and roadway improvements are proposed in response to the revocation of CM Ranch's project approvals and its required roadway improvements.

As stated above, the applicant is not proposing any changes to its land use plan and conceptual map design for the Venezia project. The project's roadway improvements are being readjusted in response to the revocation of CM Ranch's project approvals and its required roadway improvements. Accordingly, those conditions of approval and mitigation measures that were approved with the Venezia project in 2006 must now be revised similarly with those readjusted roadway improvements that must now be provided with the Venezia project. These revised conditions of approval and mitigation measures will require review and approval by the City's Planning Commission and City Council.

For this reason, the City has deemed necessary to amend the original MND by the preparation of a Supplement MND to provide the necessary environmental clearance for the readjusted roadway improvements. In addition, Caltrans is a responsible agency to the MND, since roadway improvements to SR-98 are required to accommodate the Venezia project; future issuance of an Encroachment Permit will be required by Caltrans.

ANALYSIS

In summary, when the Venezia project was originally approved, the city anticipated the annexation and development of the CM Ranch and therefore a collective effort to improve various surrounding roadways for improved circulation. With the revocation of the CM Ranch, it has become necessary to change the requirements that have been imposed on the Venezia Subdivision by revising certain Conditions of Approval and Mitigation Measures dealing with the construction of the Jade/Hwy 98

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intersection. This intersection is located within the CM Ranch project and with the project being revoked, Venezia can not depend on this intersection for access. Instead, city staff and the applicant have developed alternative circulation solutions which require the improvement of the Bowker/Hwy 98 intersection. This change has triggered the amendment of various technical studies such as traffic and biology to address using the Bowker/Hwy 98 intersection as the primary access point to the Venezia Subdivision. The Supplement to the MND addresses environmental implications resulting from the above changes.

Additionally, since the original approval of the Venezia Subdivision, staff has developed and implemented various new policies which have been drafted and are presented in the form of additional Conditions of Approval. These new conditions have assisted city staff and the applicant better identify future and present requirements based the Zoning and Municipal Code requirements. These new conditions have been implemented with past approved subdivisions over the last year.

RECOMMENDATION

The Planning Commission recommended to the City Council approval of the following applications:

1. Approval & Certification of Supplement to the Mitigated Negative Declaration for the Venezia Subdivision by adoption of Resolution No. 2008-__
2. Approval of the Tentative Subdivision Map Amendment (Conditions of Approval) for the Venezia Subdivision by adoption of Resolution No. 2008-__

PREPARED BY: ARMANDO G. VILLA, DIRECTOR OF PLANNING & DEVELOPMENT SERVICES

APPROVED FOR

AGENDA BY: _____
CITY MANAGER'S OFFICE

ATTACHMENTS

1. City Council Resolution No. 2008-__, approving Supplement to the Mitigated Negative Declaration for the Venezia Subdivision.
2. City Council Resolution No. 2008-__, approving Tentative Subdivision Map Amendment for the Venezia Subdivision.
3. Planning Commission Staff Report and Resolutions from the September 22, 2008 Meeting

RESOLUTION NO. 2008-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CALEXICO, CALIFORNIA, APPROVING
TENTATIVE SUBDIVISION MAP AMENDMENT
WHICH AMENDS CERTAIN CONDITIONS OF
APPROVAL AND MITIGATION MEASURES
RELATED TO TRAFFIC & CIRCULATION AND TO
ALLOW FOR THE DEVELOPMENT OF 249
RESIDENTIAL UNITS, 2 OPEN SPACE UNITS, AND
1 COMMERCIAL HIGHWAY UNIT FOR VENEZIA
SUBDIVISION - UA NO. 2003-73**

WHEREAS, Westmount Properties, has submitted an application for the Venezia Tentative Subdivision Map Amendment. The approximate 78.31 acre site is located outside the City's eastern city limit boundary south of the All American Canal and east of Highway 98; and

WHEREAS, the request for amendment applies to the amendment of certain Conditions of Approval and Mitigation Measures contained in the Mitigation Monitoring Program which relates to traffic and circulation issues. As a result of this request, additional conditions of approval will be triggered resulting from updated policies established to date. The original subdivision design concept will remain unchanged.

WHEREAS, the Planning Commission, at its regular meeting on September 22, 2008, held a duly noticed public hearing, and recommended to the City Council approval of Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73 (Resolution No. 2008-16); and

WHEREAS, the City Council of the City of Calexico has been delegated with the responsibility of approving subdivision maps; and

WHEREAS, public notice of said application has been given, and the City Council has considered evidence presented by the Development Services Department and other interested parties at a public hearing held with respect to this item on November 5, 2008.

WHEREAS, on the 5th day of November, 2008 the City Council held a duly advertised public hearing and after public comment, approved Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73; and

WHEREAS, the City Council of the City of Calexico finds that the Tentative Subdivision Map Amendment is consistent with the objectives of the development policies of the City of Calexico, and

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NOW THEREFORE, the City Council of the of the City of Calexico DOES HEREBY make the following findings as supported by the maps, exhibits and documentation of said tentative map amendment all of which are herein incorporated by reference.

SECTION 1. That in accordance with State California Subdivision Map Act and requirements of the City of Calexico the following Findings for the approval of Tentative Subdivision Map Amendment No. 2003-73 have been made as follows:

1. The proposed subdivision, together with the provisions for the design and improvement, are consistent with the General Plan; Zoning Code; Title 16 of the Municipal Code relating to Subdivisions; and the State Subdivision Map Act.

The design of the project and subdivision are consistent with the General Plan and Zoning designations. The project is consistent with the designated land use planning area, development and design standards, and all other appropriate requirements contained in the General Plan, Calexico Municipal and Zoning Codes, and Subdivision Map Act.

2. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan (Government Code Section 66473.5).

The project is consistent with the land use plan, development and design standards and programs, and all other appropriate requirements contained in the General Plan. As discussed, the General Plan designates the project site as Commercial and Residential. The Tentative Subdivision Map is consistent with the City of Calexico General Plan and Zoning Code designations, and other applicable development and design standards.

3. The effects this proposed subdivision is likely to have upon the housing needs of the region, the public service requirements of its residents, and the available fiscal and environmental resources have been considered and balanced.

The project is consistent with the City's General Plan and Municipal and Zoning Codes, and will provide necessary public services and facilities, will pay all appropriate fees, and will not result in any adverse environmental impact, with the implementation of mitigation measures contained in the Supplemental to the Mitigated Negative Declaration for the Venezia Project.

4. The design of the subdivision provides to the greatest extent possible, for future passive or natural heating or cooling opportunities in the subdivision (Government Code Section 66412.3).

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The project will comply with all appropriate conservation requirements of the City and Uniform Building Code.

SECTION 2. Environmental Determination pursuant to the California Environmental Quality Act (CEQA). Via a separate resolution, a Final Supplemental Mitigated Negative Declaration has been prepared and approved by Calexico Planning Commission in accordance with the City of Calexico adopted guidelines to implement CEQA.

SECTION 3.

CONDITIONS OF TENTATIVE SUBDIVISION MAP AMENDMENT APPROVAL

WHEREAS, the Planning Commission of the City of Calexico approves tentative subdivision map amendment, attached hereto as Exhibit A, subject to the following conditions of approval:

The following conditions shall be complied with before a final map is approved by the City Council and filed with the County Recorder of Imperial County or as stated in the condition or MMRP (and, where specifically indicated, shall also be complied with prior to issuance of grading or other permits as specified.)

PLANNING DIVISION CONDITIONS

GENERAL CONDITION

1. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Official, Officers, Employees, Consultants and Agents from any claim, action, or proceeding against the City, its Official, Officers, Employees, Consultants or Agents to attach, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning the Venezia project, which action is brought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and will cooperate fully with the defense. If the City fails to promptly notify the Applicant of any such claim, or proceeding, the Applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City.
2. The Tentative Subdivision Map shall expire two (2) years from date of approval unless within that period of time the applicant/developer submits all appropriate documentation for a Final Map which shall include CC&R's and appropriate instruments have been filed and recorded with the County Recorder, or an extension of time is granted by the City of Calexico City Council in accordance with the Subdivision Map Act.

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3. The Tentative Subdivision Map shall comply with the State of California Subdivision Map Act and shall comply with all applicable requirements of the Calexico Municipal Code, Title 16 unless modified by approved Conditions of Approval.
4. Prior to final certificate of occupancy of Tentative Subdivision Map, the project improvements specified herein and approved by the Planning Commission and the City Council shall be installed, or agreements for said project improvements, shall be submitted to the City for approval by the City Engineer, and all other stated conditions shall be complied with. All uncompleted improvements must be bonded for as part of the agreements.
5. Prior to the first certificate of occupancy the applicant shall prepare and record CC&R's. The CC&R's shall be reviewed and approved by the Development Services Director or Designee and the City Attorney. To the extent legally permissible, the CC&R's shall include methods of maintaining common areas, open space lots, landscaped areas including parkways, and methods for common maintenance of all underground, and above ground utility infrastructure improvements necessary to support the complex. Condition 5 – 7 shall not apply to improvements accepted by city for public maintenance.
6. No unit in the development shall be sold unless (one or more in combination of) a corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity has been formed with the right to financially assess all properties individually owned or jointly owned which have any rights or interest in the use of common facilities in the development, such assessment power to be sufficient to meet the expenses of such entity/ies, and with authority to control, and duty to maintain, all said mutually available features of the development. To the extent legally permissible, such entity/ies shall operate under recorded CC&R's which shall include compulsory membership of all owners of lots and/or dwelling units and flexibility of assessments to meet changing costs of maintenance, repairs, and services. Recorded CC&R's shall permit enforcement by the City for provisions required as Conditions of Approval. The applicant shall submit evidence of compliance with this requirement to, and receive approval of, the City prior to making any such sale. This condition shall not apply to land dedicated to the City for public purposes. Membership in the Home Owner's Association, corporation, association, property owner's group, Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity shall be mandatory for each buyer and any successive buyer in that HOA or a Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity shall be established as a method of maintaining common areas, parking and drive aisles areas, landscaped areas including parkways, retention basins, parks, and street lighting. Right of way parkway includes all adjacent areas to Bowker, Hwy. 98 and primary streets.

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7. ~~All open space, landscaping, and parkway areas shall be maintained by the Home Owner's Association or a Community Facilities District, Benefit Area District, or other similar financing mechanism. Deleted By Planning Commission Action.~~
8. Vehicle access to the proposed lots shall only be allowed in the front of the lot as approved in the Tentative Subdivision Map. No rear or side entry access is permitted.
9. In the event the corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, or other similar financing mechanism/entity fail to maintain said common area in such a manner as to cause same to constitute a public nuisance, said City may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon said common area, individual units or whole thereof as provided by law.
10. The applicant shall comply with those mitigation measures identified in the Mitigation Monitoring Program adopted with the Supplement to the Mitigated Negative Declaration for the Venezia Subdivision and all applicable requirements of the Calexico Municipal Code; Title 17 unless modified by approved Conditions of Approval.
11. ~~The project shall comply with the all applicable requirements of the Calexico Municipal Code; Title 17 unless modified by approved Conditions of Approval. Deleted by Planning Commission Action.~~
12. The applicant shall at all times comply with Noise Control Ordinance of the Calexico Municipal Code.
13. Any new Residential & Commercial development and associated requirements including any proposed Parks and Open Space lots shall be subject to the Design and Development Review procedures and the City of Calexico Residential Design Guidelines.
14. A decorative block wall shall be constructed along the residential frontage project's primary access routes such as Bowker and where primarily visible from major streets, subject to the review and approval of the Director of Development Services or designee.

PRIOR TO BUILDING/GRADING PERMITS

15. Building Division Plan Check. All Conditions of Approval shall be met prior to the issuance of a Certificate of Occupancy and release of utilities or as otherwise stated in the condition or MMRP.

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16. All site improvements approved with this request shall be constructed as indicated on the approved site plan and elevations. Revisions to approved site plans shall be subject to the review of the Development Services Director. All plans submitted for Building Division Plan Check shall conform to the submitted plans as modified by Conditions of Approval, or the Planning Commission/City Council through subsequent action.
17. All exterior on-site lighting shall be shielded and directed on-site so as not to create glare onto neighboring property and streets or allow illumination above the horizontal plane of the fixture. All light fixtures shall match the architectural style of the building.
18. The Planning Division shall approve the location of any construction trailers utilized during construction. All construction trailers shall require a temporary permit processed through the Planning Division.
19. Onsite surface drainage shall not cross sidewalks as to cause permanent water accumulation.
20. All Open Space lots, including detentions basins, shall be landscaped and irrigated. All exposed slopes in excess of three feet in height shall have a permanent irrigation system and erosion control vegetation installed, approved by the Planning Division.
21. Prior to issuance of any grading permit or building permits, the applicant shall sign and complete an "Acknowledgement of Conditions" form and shall return the executed original to the Planning Division for inclusion in the case records.
22. Prior to the commencement of grading operations, the applicant shall provide a map of all proposed haul routes to be used for movement of dirt material. Such routes shall be subject to the review and approval of the City Engineer. A bond may be required to pay for damages to the public right-of-way caused by the hauling related to the Venezia project, subject to the approval of the City Engineer.
23. A Final Landscaping/Irrigation Detail Plan shall be submitted, reviewed and approved by the Development Services Director or designee, prior to issuance of building permit. The residential portions shall be subject to Residential performance Standards in the Zoning Code. The following requirements shall only apply to portions of the Venezia project which are not residential .
 - a) All planting areas shall have permanent and automatic sprinkler system with 100% coverage of plant and grass using a combination of drip and conventional irrigation methods.
 - b) Applicant shall plant street trees, a maximum of forty feet (40) apart and at least twenty-four-inch (24") box in size.

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- c) All planting areas shall be separated from paved areas with a six inch (6") high and six inch (6") wide concrete curb.
 - d) Planting within fifteen feet (15') of ingress/egress points shall be no higher than thirty-six inches (36").
 - e) Landscape planters shall be planted with an appropriate parking lot shade tree to provide for 50% parking lot shading in fifteen (15) years.
 - f) Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.
 - g) All landscape improvements shall be HOA or a Community Facilities District, Benefit Area District, or other similar financing mechanism maintained from installation sign-off by the City.
 - h) All landscaping and irrigation shall be installed within affected portion of any phase at the time a Certificate of Occupancy is requested for any building. All planting areas shall include plantings in the Xeriscape concept, drought tolerant grasses and plants.
 - i) Final landscape plan must be consistent with approved site plan/landscape plan.
 - j) ~~The project shall include a minimum of thirty-five trees per gross acre. Twenty percent shall be twenty-four inch box size or larger, seventy percent shall be fifteen gallon size and ten percent shall be five gallon size. The project shall comply with the applicable Residential Performance Standards identified in the Calexico Zoning Code. Deleted by Planning Commission Action.~~
 - k) Final landscape plans to include planting and irrigation details.
24. Applicant shall comply with the requirements of the Imperial Irrigation District (IID). Proof shall be presented to the Chief Building Official prior to issuance of building permits and final approval.
25. Prior to issuance of building permits, applicant shall provide assurance that all required fees to the Calexico Unified School District have been paid pursuant to these conditions of approval.
26. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Fire Department have been met.

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27. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Police Department have been met.
28. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Community Services and Recreation Department have been met.
29. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Utilities Services Department have been met.
30. Prior to the issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Finance Department have been met consistent with and in accordance with these conditions of approval (i.e. Community Facilities District, Lighting and Landscape Maintenance District, etc.).

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

31. The Home Owner's Association corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity shall be established prior to the occupancy release of the first dwelling unit.
32. The proposed Park and Open Space lots shall be funded, constructed and fully completed, including all amenities, prior to the issuance of the one hundredth (100th) certificate of occupancy. A bond shall be required prior to the COO of the 1st unit.

ENGINEERING DIVISION CONDITIONS

33. Improve or guarantee the necessary street improvements in conformance with the project corridor traffic study that will mitigate potential traffic impacts to include: all the specific conditions and the mitigation measures as specified herein and the mitigation monitoring program.
34. Improve or guarantee the improvement of the necessary water and sewer line extensions from the city of Calexico to service the proposed project at the expense of the developer based on the updated Service Area Plan to the satisfaction of the City Engineer.
35. Dedicate the necessary right-of-way and land to the appropriate jurisdictions (i.e., street, park dedication, etc.) as shown in the subdivision tentative map, to the satisfaction of the City Engineer/Director of Development Services.
36. Create a financing mechanism (assessment district, community facilities district and/or maintenance district, and/or other mechanism/entity) to support the ongoing

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maintenance of the parks, landscaping, lighting and regional drainage services, storm water retention system facilities, fire/police services.

37. Prior to submittal of any improvement plan for plan check, geotechnical study and soils report of the project site shall be conducted to the satisfaction of the City Engineer. An approved copy of the geotechnical study and soils report, in accordance with the subdivision map act, applicable codes, and city standards, shall be submitted with the improvement plans.
38. The developer shall submit and receive an NPDES permit from the regional water quality control board in accordance with a storm water pollution prevention plan approved by the city engineer. The storm water pollution prevention plan shall include best management practices (BMP's).
39. A site specific drainage study in conformance with the sub-regional storm water retention system shall be conducted by a registered hydraulic engineer and submitted for review and approval by the city and IID. The drainage study may incorporate temporary retention basins; however, the design of the drainage system shall be in conformance with the City's sub-regional storm water retention system.
40. Any temporary relocation of private or IID canals and drainage ditches shall be approved by IID.
41. All retention facilities and drainage improvements shall be installed to the satisfaction of the City Engineer.
42. Temporary retention basin(s) shall be required to retain the residential and commercial runoff of the entire area (streets and lots) until a regional storm drain facility becomes available. The cost of the temporary retention basin shall be the responsibility of the developer. The temporary retention basin(s) shall be sized for a 100-year/24-hour storm and bonded for removal to the satisfaction of the City Engineer.
43. Prior to submittal of improvement plans, the applicant shall provide the following master plans, to the satisfaction of the City Engineer:
 - a. Water master plan (including domestic and fire flow analysis)
 - b. Sewer master plan (including sewer capacity flow and calculations)
 - c. Drainage master plan (including both hydrology and hydraulic calculations)
 - d. Street classification and traffic circulation master plan
 - e. Master Utilities plan as required by other jurisdictions.
44. All Master plans and improvements plans shall be in conformance with chapter III of the city standards entitled "City of Calexico Design Procedures and Improvement

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Standards” updated December 1, 2005 herein called city standards and any subsequent revisions and modifications and as specified in these conditions.

45. Fire hydrants shall be placed not more than 300 ft apart and nor more than 300 ft from buildings.
46. The developer shall participate in the project’s pro-rated share of the costs for the improvement of the sub-regional storm water retention system, or at the discretion of the City of Calexico, be responsible for the improvement of the portion of the sub-regional storm water retention system needed to serve the entire drainage area. The sub-regional storm water retention system shall be in conformance with the drainage master plan and the City’s most recent service area plan, and in accordance with city standards.

STREET IMPROVEMENTS AND TRAFFIC CIRCULATION

47. Primary arterials, collectors, and local site access streets of applicable street right-of-way widths shall be dedicated.
48. Improve or guarantee the improvement of road improvements and participate in a fair share contribution, as per requirements of the tentative map amendment and the specific conditions. The road improvements and fees for primary arterials and collector streets shall be in accordance with the City of Calexico service area plan, benefit assessment areas, special infrastructure fee, and impact fee program to the satisfaction of the City Engineer.
49. Developer shall retain qualified California registered civil engineer for design services in accordance with the City Standards.
50. Improvement plans, record maps, traffic control plans, and intersection “stop” sign control plans for all interior streets shall be prepared to the satisfaction of the City Engineer.

BONDS AND SURETY

51. Prior to the submittal of bonds, the applicant/developer/design engineer shall submit construction cost estimate for all required improvements using City’s provided unit cost items and standards for review and approval.
52. The developer shall submit and provide all required improvement bonds and surety to the satisfaction of the City Engineer.

IMPACT FEES AND FAIR SHARE ASSESSMENT FEES

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53. The developer shall document and make payment of development impact fees for police services in accordance with the city council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
54. The developer shall document and make payment of development impact fees for fire protection services in accordance with the City Council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
55. The developer shall document and make payment of applicable school impact fees for Calexico Unified School District, as determined by state law, (currently SB 50) to the satisfaction of the Calexico Unified School District.
56. The developer shall document and make payment of development impact fees for park facilities and services in accordance with the City Council adopted standards to the satisfaction of the Director of Development Services.
57. The developer shall document and make payment of development impact fees for library facilities and services in accordance with the City Council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
58. The developer shall document make payment of development impact fees for sewer and water facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
59. The developer shall document make payment of development impact fees for transportation facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
60. The developer shall document make payment of development impact fees for public facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
61. The developer shall document make payment of development impact fees for administration services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.

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62. The developer shall document and/or make payment of fees for Art in Public Places in accordance with the City Council adopted standards to the satisfaction of the Director of Development Services.

FAIR SHARE FEES

63. The developer shall pay for all applicable fees. These fees shall included but not be limited to impact fees, special infrastructure fees, benefit area assessment fees, and engineering plan check and inspection fees as determined and conditioned therein.
64. In addition to the required development impact fees for streets, water, sewer, police, fire, library, school and utility improvements, the developer shall participate in the project's prorated fair share of the costs identified in the SPECIFIC CONDITIONS, Traffic Studies, and the Mitigation Monitoring Program of the CEQA document.

NOISE

65. A detailed acoustical analysis shall be conducted for residential uses within the vicinity of CNEL 60 DB or higher noise conditions; for office and professional buildings and recreational commercial facilities within 65 DB or higher conditions; and all other land uses, except agriculture, within 70 DB or high noise conditions. The developer shall construct sound walls or berms along major thoroughfares or provide other noise attenuation in order to achieve the general plan interior and exterior noise standards.

UTILITIES

66. The developer shall coordinate with the IID regarding the location, financing, designing, and phasing of required on-site electrical facilities.
67. The developer shall pay fair share cost based on dwelling units for both the regional sewer lift station and the construction of a new force main and gravity lines that will be necessary to upgrade the sewer collection system. The fair share shall be calculated by taking into account the entire area served by the regional sewer lift station and upgraded sewer collection system, as appropriate.
68. The developer shall pay for the necessary upsizing of the sewer pipeline in order to connect into the existing sewer collection system.

SCHOOL

69. The project shall dedicate or pay a fee in-lieu of school site dedication in accordance with condition #55.

SPECIFIC CONDITIONS

Street Circulation Element Conditions

70. Jade Ave. connection at Highway 98 south of the Tierra Santa Subdivision (the approved location of the Tierrasanta Unit 1 at the north side) shall not be made and required at this time, but shall dedicate the required Jade Ave. rights of way (R/W) as per the updated traffic study entitled "Traffic Study For Venezia Mixed Use Development In the Calexico Area of Imperial County" by Bill Darnell and Associate dated April 3, 2008 and in accordance with the Mitigation Monitoring Program for the Venezia Supplement to the Mitigated Negative Declaration.

71. Bowker Road will ultimately need to be extended to include the bridge widen with an IID approved structural crossing to include the intersection at the Highway 98 with the All American Canal. The bridge crossing and highway combined alignment is approximately 350 feet in length by 126 feet in width on Bowker Road. Additionally, Hwy 98 widening to four lanes will be required on both sides. Bowker Road is the only existing primary ingress and egress access point; therefore, the interim mitigation measure for the Bowker Road and Hwy 98 intersection improvement with the modified geometric based on the PEER report submitted to Caltrans for review will need to be constructed all at the Developer's cost prior to the issuance of occupancy permit for the project. Additionally, the developer shall pay or post security for the fair share cost for the ultimate improvement as prepared shall be made prior to the recordation of any final map. Based on the location, need, and conditions of the project, a benefit area map and percent of the improvement cost (5.03%) has been identified for this ultimate improvement (*See Table A*).

Note: Benefit assessment cost percentage may vary subject to any deviation and changes base on public hearing and subsequent City Council action.

72. The approved TSM shall provide a street connection of 75 feet R/W (or width to conform with the south development) north-south street connection at approximately 1,000 feet west of the eastside tract boundary. The Design Engineer shall coordinate the design with the south boundary development (Prior CM Ranch layout) to insure compliance of the City's Street Circulation Element.

73. Hwy 98 widening (Andrade Ave to Cole Road) and Cole Road widening (Bowker Road to Hwy 98) shall be considered a part of the Corridor Benefit Assessment Areas.

- a. These two roadway corridors will be established as the Hwy 98 and Cole Road Corridor Benefit Assessment Areas as per Caltrans requirement and conditions.
- b. The fair share cost for the improvement has not been finalized and approved by the City Council. Based on the location, need, and conditions of the

RESOLUTION NO. 2008-_____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 14 OF 20

project, a benefit area map and percent of the improvement cost (5.03%) for Bowker Road has been identified in this area (*See Table A*).

Note: Benefit assessment cost percentage may vary subject to any deviation and changes base on public hearing and council action.

Other City Wide Street Circulation Impacts

74. Fair share cost subject to percent of ADT for roadway improvements will be determined as part of the MMP submitted with the project that may include but not be limited to the following:

- a. Rockwood Road / Cole Road Intersection realignment of the eastbound through lane.
- b. Rockwood Road/Cole Road intersection replacement of split signal phasing with actuated, left-turn phasing.
- c. Jasper Road widening (Bowker Road to SR 111) and Jasper Road/SR 111 signalization.
- d. Bowker Road widening from Jasper Road to Cole Road.
- e. Bowker Road widening from Cole Road to SR 98.
- f. Citywide traffic signal synchronization.
- g. SR 98 and Andrade (Meadows) Ave.
- h. SR 98 and Jade Ave.

Drainage Element Conditions

75. The drainage element for all development shall comply with the City's Existing Drainage Facilities as defined in Section 5 of the Proposed Drainage Service Area Plan (DSAP) Report requirement and any modification herein or the General Plan Update that is in progress. The Sub-Regional Retention Basin Concept for the City of Calexico's south-east area is identified along LaVigne Road at the south development area (Note: per prior CM Ranch Concept Map).

76. Integrate retention basin design with the City's master plan of retention basins to accompany the Sub-Regional Retention Basin Concept. Pay all costs as identified in the current DSAP including the amount of land require off-site in fair market value determination. Additionally, this will be maintained and setup of a Community Facility District (CFD) and/or other financing mechanism/entity.

77. In the event that this subdivision proceeds before the regional retention basin proposed in the City's Drainage Master Plan is in service the developer will be responsible to construct a temporary retention to serve the subdivision according to the current City design standards and criteria prior to the issuance of the certificate of occupancy and/or City acceptance. The developer will be responsible to construct a temporary connection into the existing Imperial Irrigation Drain along the All

RESOLUTION NO. 2008-____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 15 OF 20

American Canal. Developer shall contribute fair share basis (subject to capacity and runoff criteria determination, or as determined per the SAP) of special infrastructural fees toward regional retention basin.

78. Submit a master plan of hydrology and drainage map for review and approval prior to the submittal of the phase 1 unit map and improvement plans.

Sewer Element Conditions

79. The off-site trunk sewer line and the Regional Pump Station that the development connects at Bowker Road will provide the sewer services at the east side of E. Rivera and south of the All American Canal developments. In the event that the subdivision proceeds ahead before the Regional Pump Station and off-site sewer line proposed along Bowker Road are built, the City will allow the development to provide sewer services to the subject subdivision via the existing Andrade Sewer Pump Station gravity line at Hwy 98 and Andrade Ave. The developer shall construct all the improvements required including but not limited to a new sewer pump station within the subject subdivision and a sewer main to convey the sewer flows generated by the subdivision that will run South along Bowker Road and West on LaVigne Road and Highway 98 (Southern side) and the connection into existing gravity line near the Andrade sewer lift station). Coordinate with the City for the exact layout and connection requirement. The sewer facilities must be in operation prior to the issuance of any certificate of occupancy.
80. Prepare a sewer master plan that is in accordance with the City's master sewer plan and to ascertain that the in-tract gravity lines will be able to accommodate the sewer flows generated by the Venezia Subdivision. The Developer is required to construct all the necessary improvements to provide sewer services to the subdivision.

Water Element Conditions

81. The City is currently in the process of constructing its Phase III water master plan at the eastside. The developer shall be responsible in making the necessary waterline connection running north at Bowker Road, and will need to be incorporated into the Bowker Road project; however, a second waterline loop will be required at the eastside street tract boundary.
82. Prepare a water master plan (in-tract water line layout and hydraulic calculations) that integrates with the City's Phase III and the south development water master plan to insure compliance of the City's current water master plan.
83. Provide a second connection of proper size at the eastside to form a loop connection for the water master plan as stated above.

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VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 16 OF 20

84. In order to provide water to the proposed development before the 30-inch(or size as modified in subsequent study report) diameter water main proposed for Bowker Road is built, the Developer will be responsible to prepare a detailed water study to evaluate the alternative to connect into the existing municipal water distribution system as follows:
- a. Connect to the North of the development to the existing 12-inch diameter water line along Bowker Road near the northern side of Highway 98,
 - b. Connect to the West of the Development; via the construction of a water line that will loop the proposed water distribution system for the project to the existing 12-inch diameter water line along E. Rivera Avenue.
 - c. The detailed water study shall identify all the improvements required to provide adequate water pressure and redundancy to the subject subdivision. The Developer will be responsible to built all the required improvements. Once the proposed water line along Bowker Road is built, the developer will be responsible to fund and/or built the connections to the proposed 30-inch diameter water line.

Community Facility District (CFD)-Prior Recordation of any Final Map.

85. A cost participation for the regional infrastructure program (i.e. the East Calexico Facilities Area II Improvement) will be required. This program is being addressed by the City's consultant on the current City's development that will included but not limited to: off-site streets, bridges at La Vigne Road and Bowker Road at the All American Canal, sewer distribution line and lift station, water, regional retention basins, and storm drain systems, etc. Developer shall participate and pay the fair share cost contribution.
86. A maintenance and operation CFD of the Sub-Regional Retention Basin for drainage will also be required.

Fees

87. Pay all applicable fees (i.e. City's Standard Impact Fees, Special Infrastructure Fees, Benefit Assessment Fees, Plan Check and Inspection Fees, etc.) prior to recordation of any final maps, pulling of permits, and/or certificate of occupancy as per the City's standard and conditions in accordance with the MMRP. In the case of the Bowker Road and Hwy 98 improvement per Caltrans conditions and requirement for Phase 2 (Ultimate Widen Improvement), the Developer shall deposit into the City in accordance with the MMP for the necessary funds as determined by the Director of Planning and Development Services for the development of the Memorandum Of Understanding (MOU), Project Study Report (PSR), and Design and Administration

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VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
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fees) prior to approval of any final map for recordation and/or approval of any in-tract improvement plans.

Other Pertinent Conditions

88. The Bowker Road/Hwy 98 proposed signalized intersection is a capital improvement project pursuant to the City of Calexico street infrastructure plan. The developer shall agree to fund all the Phase 1 improvement and participate in the construction and pay a "fair share" basis (no greater than 5.03%) of the ultimate widening plan.
89. Notwithstanding anything else in these conditions, if any improvements (including without limitation in relation to streets, water, sewer, or any other facilities or utilities) required to be constructed or paid for by the project are in excess of the fair share portion of such improvements for which the project is responsible, as identified in these Conditions of Approval, the project mitigation monitoring program of the CEQA document or otherwise, the project shall be eligible for reimbursement of the costs of such excess and the developer shall only be required to construct and install improvements as proposed contingent upon the City's agreement to enter into a re-imbursement agreement for funding in excess of fair share participation. Further, with respect to any payments for which the developer may post security under these Conditions of Approval, the project mitigation monitoring program of the CEQA document or otherwise, the developer may make the payments to replace such security at the time of the issuance of building permits for any dwelling unit or other structure, on a pro rata basis.
90. The developer agrees to participate on a "fair share" basis for the construction of widening and signalization improvements for Jade Avenue/SR 98 when warranted by Caltrans in the future development of the commercial parcel which will be based on ADT trips in accordance with the MMP.
91. The applicant/developer will be responsible for widening of SR-98 to four lanes and additional channelization within the boundaries of the proposed project subdivision area. The Caltrans Transportation Concept Report (TCR) for SR-98 calls for an ultimate 6 lane conventional highway and widening for a total width of 172' (86' half-width) in this area. The ultimate configuration would require some Right of Way (R/W) acquisition along the frontage of this property (to be determined based upon existing State R/W in the vicinity).
92. Upon annexation, the applicant/developer shall obtain from the City of Calexico an Irrevocable Offer of Dedication (IOD) and slope rights/drainage easement in order to accomplish preserving this R/W referred in conditions No. 91 above.
93. No development improvements, including landscaping and other easements shall be located within the R/W IOD referred in conditions No. 91 above.

RESOLUTION NO. 2008- ____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 18 OF 20

94. Any work performed within Caltrans R/W will require an encroachment permit referred in conditions No. 91 above .
95. The developer shall be responsible for procuring any necessary permits or approvals from regulatory and/or resource agencies.
96. Provide utilities, conduits, and other telecommunications facilities (i.e. cable, fiber optic, etc.) from point "A" to any such facility as determined and approved by the Imperial Valley Telecommunications Authority Manager and to the satisfaction of the Director of Development Services/City Engineer.
97. Comply with City's Design Procedures and Improvement Standards as updated on December 1, 2005 Design Manual and any subsequent modifications thereon.

SECTION 4: CONDTIONS FOR RECORDATION OF FINAL MAP

98. Final map shall not be approved until developer and city have entered into an agreement, which provides for traffic facilities, emergency services, water and sewer services, and area drainage, and other services specified as needed.
99. Approval is given subject to compliance of final map and improvement drawings with all applicable zoning and subdivision ordinance of the City of Calexico.
100. The necessary improvements as set forth in the approval of the tentative tract/parcel map have been installed and accepted by the city, or provided the subdivider submits satisfactory improvement plans together with the necessary guarantee that the improvements shall be installed.
101. Guarantee for installation of improvements shown on recorded final map shall be by surety bond or letter of credit. Use of real property lien, as guarantee for installation of improvements shown on recorded final map shall be in accordance of city policy and procedure.
102. The required plan and map checking and inspection fees must be paid to all affected divisions/departments/agencies.
103. Checking has been completed by the various departments and agencies.
104. Taxes, liens and special assessments have been paid or such payment is guaranteed.
105. All applicable conditions and compliance are met with the city standards updated December 1, 2005 and all subsequent modifications and revisions thereon.

RESOLUTION NO. 2008-____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
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106. —

TABLE “A”
Fair Share Percentage Cost Distribution

Note: Percentage of cost derivation based on ADT from the surrounding development projects

Area #	Description	Acreage	Type of Use	ADT	% of Total ADT
1b	Santa Fe Subdivision	225.13	per traffic study	18,528	7.67%
1c	Area Bounded by Jasper, Bowker, Cole and Meloland	480	Assume 10% Commercial, 60% Residential (25 units/acre), 30% Single-Family Residential (6 units/acre)	67,309	27.87%
1f	Area Bounded by Bowker & Central Main Canal	28.66	Industrial	1,809	0.75%
1g	Area Bounded by Bowker & Hwy 98	18.49	Industrial	1,167	0.48%
1h	Area Bounded by Hwy 98, Central Main Canal & All American Canal	36.75	Industrial	2,319	0.96
1i	Venezia Subdivision	76.58	per traffic study	12,140	5.03%
1j	Tierrasanta Unit 2 (Commercial)	12.90	per traffic study	7,248	3.00%
1k	Tierrasanta South	16.70	Assume Multi-Family Residential (25 units per acre)	4,000	1.66%
1m	CM Ranch Subdivision IIA	346.60	Assume 10% Commercial, 20% Multi-Family Residential (25 units/acre), 70% Single-Family Residential (6 units/acre)	52,352	21.68%
1n	CM Ranch Subdivision IIB	193.20	Assume 20% Residential (25 units/acre) 80% Residential (6 units/acre)	18,120	7.50%
1l	CM Ranch Subdivision	702.00	per traffic study	56,538	23.40%
Total Acreage		2,718.01	Total Daily Project Trips	241,522	100.00%

NOW, THEREFORE, based on the above findings and conditions, the City Council of the City of Calexico DOES HEREBY APPROVE Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73.

PASSED, APPROVED AND ADOPTED, at a regular meeting of the City Council of the City of Calexico, California, held on the 5th day of November, 2008.

RESOLUTION NO. 2008-____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
PAGE 20 OF 20

CITY OF CALEXICO

LOUIS FUENTES, MAYOR

ATTEST:

LOURDES CORDOVA, CITY CLERK

APPROVED AS TO FORM:

JENNIFER M. LYON, CITY ATTORNEY

STATE OF CALIFORNIA)

COUNTY OF IMPERIAL) SS.

CITY OF CALEXICO)

I, Lourdes Cordova, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Resolution No. 2008-____ was duly passed and adopted at a regular meeting of the City of Calexico, California held on the 5th day of November, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL

LOURDES CORDOVA, CITY CLERK

RESOLUTION NO. 2008-__

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF CALEXICO, CALIFORNIA,
CERTIFYING SUPPLEMENT TO THE
MITIGATED NEGATIVE DECLARATION FOR
VENEZIA SUBDIVISION AMENDMENT UA NO.
2003-73**

WHEREAS, Westmount Properties, has submitted an application for the Venezia Tentative Subdivision Map Amendment. The approximate 78.31 acre site is located outside the City's eastern city limit boundary south of the All American Canal and east of Highway 98; and

WHEREAS, the request for amendment applies to the amendment of certain Conditions of Approval and Mitigation Measures contained in the Mitigation Monitoring Program for Supplement to the Mitigated Negative Declaration for the Venezia Subdivision which relates to traffic and circulation issues.

WHEREAS, the Planning Commission, at its regular meeting on September 22, 2008, held a duly noticed public hearing, and recommended to the City Council Certification of Supplement to Mitigated Negative Declaration No. 2003-73 (Resolution No. 2008-16); and

WHEREAS, Supplement to Mitigated Negative Declaration No. 2003-73 has been prepared to evaluate environmental impacts resulting with the project amendment; and

WHEREAS, public notice of said application has been given, and the City Council has considered evidence presented by the Development Services Department and other interested parties at a public hearing held with respect to this item on November 5, 2008.

WHEREAS, on the 5th day of November, 2008 the City Council held a duly advertised public hearing and after public comment, recommended approval of the Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73; and

NOW THEREFORE, the City Council of the City of Calexico DOES HEREBY RESOLVE as follows:

SECTION 1. The City Council has considered the proposed Supplement to Mitigated Negative Declaration for the Venezia Subdivision, prior to making a decision. The City Council finds and determines that Supplement to the Mitigated Negative Declaration the Venezia Subdivision is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects of the project, based upon the following findings and determinations:

SECTION 2. That in accordance with State Planning and Zoning Law, the California Environmental Quality Act (CEQA), and the City of Calexico the following findings for the approval of the Supplement to the Mitigated Negative Declaration have been made as follows:

1. Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and

The applicant has made revisions to the project or has agreed to specific conditions which would avoid the effects or mitigate the effects of the project to a point where no significant effects would occur.

2. There is no substantial evidence, in the light of the whole record before the agency, that the project as revised may have significant effect on the environment.

Pursuant to the evidence received in the light of the whole record presented to staff the project will not have a significant effect on the environment considering the applicable Conditions of Approval and Mitigation Monitoring Program.

3. Mitigation measures have been required to ensure all potentially significant impacts are reduced to levels of insignificance.

Mitigation measures have been required which will reduce significant environmental impacts to the level of insignificance.

NOW, THEREFORE, based on the above findings, the City Council of the City of Calexico DOES HEREBY APPROVE SUPPLEMENT TO THE MITIGATED NEGATIVE DECLARATION FOR THE VENEZIA SUBDIVISION.

PASSED, APPROVED AND ADOPTED, at a regular meeting of the City Council of the City of Calexico, California, held on the 5th day of November, 2008.

CITY OF CALEXICO

LOUIS FUENTES, MAYOR

ATTEST:

LOURDES CORDOVA, CITY CLERK

RESOLUTION NO. 2008-____
SUPPLEMENT TO MITIGATED NEGATIVE DECLARATION FOR
THE VENEZIA SUBDIVISION
Page 3 of 3

APPROVED AS TO FORM:

JENNIFER M. LYON, CITY ATTORNEY

STATE OF CALIFORNIA)

COUNTY OF IMPERIAL) SS.

CITY OF CALEXICO)

I, Lourdes Cordova, City Clerk of the City of Calexico, California, do hereby certify that the foregoing Resolution No. 2008-____ was duly passed and adopted at a regular meeting of the City of Calexico, California held on the 5th day of November, 2008 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

(SEAL

LOURDES CORDOVA, CITY CLERK

**REVISED MITIGATION MONITORING PROGRAM
SUPPLEMENT TO MITIGATED
NEGATIVE DECLARATION
VENEZIA SUBDIVISION
SCH# 2005021128
UA NO. 2003-73**

**REVISED ROADWAY IMPROVEMENTS
FOR VENEZIA SUBDIVISION PROJECT**

Prepared By:
**CITY OF CALEXICO
PLANNING DIVISION
DEVELOPMENT SERVICES
DEPARTMENT
608 Heber Avenue
Calexico, CA 92231**

**July 2008
Revised September 2008**

CHECKED OCT 13 2008

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BMP – Best Management Practices
CALTRANS – California Department of Transportation
CDF&G – California Department of Fish & Game
SWPPP – Storm Water Pollution Prevention Plan

- (1) This capacity is for all of the south side of Hwy 98 development units with minor geometric modification of adding a turning lane at each leg of the Hwy 98 and Bowker Road Intersection subject to Caltrans approval.
- (2) See Project Report for Bowker Road Re-Alignment at Hwy 98 Corridor Improvement and Fair Share Cost Contribution Study East Calexico Area dated November 14, 2005. Modified Table A and Exhibit F is incorporated herewith.

Venezia Subdivision
Revised Mitigation Monitoring Program
Supplement to Mitigated Negative Declaration

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
AESTHETICS								
AES 1	All outdoor recreational light fixtures, including but not limited to illuminated signage, decorative building, or landscape lighting, and parking lot lighting within commercial and residential zones, shall be turned off between the houses of eleven p.m. and sunrise, except when used for security purposes, illumination of roadways, sidewalks, and similar safety-related applications. Automatic timing devices shall be integrated into all new or modified lighting systems to turn off lights at eleven p.m.	A lighting plan shall be submitted for approval	Plan review and site inspection after each phase	Applicant and/or property owner	Prior to Occupancy of 98 th unit and during the lifetime of the project	City Development Services		
AIR QUALITY								
AQ 1	Link cul-de-sacs and dead end streets to encourage pedestrian and bicycle travel.	Design to be shown in the Improvement Plans and Final Map	Final Map plan check review	Applicant and/or property owner	Prior to recordation of the final map	City Engineering Department		
AQ 2	Allocate easements or land dedication for bikeways and	Design to be shown in the Improvement	Final Map plan check review	Applicant and/or property	Prior to recordation of the	City Engineering		

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- (1) This capacity is for all of the south side of Hwy 98 development units with minor geometric modification of adding a turning lane at each leg of the Hwy 98 and Bowker Road Intersection subject to Caltrans approval.
- (2) See Project Report for Bowker Road Re-Alignment at Hwy 98 Corridor Improvement and Fair Share Cost Contribution Study East Calexico Area dated November 14, 2005. Modified Table A and Exhibit F is incorporated herewith.

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	pedestrian walkways.	Plans and Final Map		owner	final map	Department		
AQ 3	Provide continuous sidewalks separated from the roadway by landscaping on street parking. Adequate lighting for sidewalks must be provided along with crosswalks at intersections.	Design to be shown in the Improvement Plans and Final Map	Final Map plan check review	Applicant and/or property owner	Prior to recordation of the final map	City Engineering Department		
AQ 4	Provide transit turnouts with direct pedestrian access.	Design to be shown in the Improvement Plans and Final Map	During improvement plan review	Applicant and/or property owner	Prior to recordation of final map	City Engineering Department		
AQ 5	An additional 10% more trees shall be planted on Calle Vernier and Bowker Road.	Improvements to be shown in the Landscape Plans	Site Inspection	Applicant and/or property owner	Prior to Occupancy of last unit of the subdivision or 24 th unit	City Planning Department		
AQ 6	Outdoor power outlets shall be provided on at least 3 exterior sides of each home.	Improvements to be shown in the Building Plans	Building plan review	Applicant and/or property owner	Prior to issuance of building permit	City Development Services		
AQ 7	Pedestrian safety signs shall be posted near crossings and all intersections shall provide cross walks.	Improvements to be shown in the Improvement Plans	During review of improvement plans & site inspection	Applicant and/or property owner	Prior to recordation of final map	City Engineering Department		
AQ 8	Use double-paned windows.	Improvements to be shown in the Building Plans	During site inspection	Applicant and/or property owner	Prior to occupancy of each unit	City Development Services		
AQ 9	Use Low energy street lighting (i.e. sodium).	Improvements to be shown in the Improvement Plans	During review of improvement plans & site inspection	Applicant and/or property owner	Prior to recordation of final map	City Engineering Department		
AQ 10	Maintain all construction	Contractor to	Site Inspection	Applicant	During Imperial Coun	ty		

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(1) This capacity is for all of the south side of Hwy 98 development units with minor geometric modification of adding a turning lane at each leg of the Hwy 98 and Bowker Road Intersection subject to Caltrans approval.

(2) See Project Report for Bowker Road Re-Alignment at Hwy 98 Corridor Improvement and Fair Share Cost Contribution Study

East Calexico Area dated November 14, 2005. Modified Table A and Exhibit F is incorporated herewith.

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
AQ 11	equipment in proper tune according to manufacturer's Specifications. Fuel all off-road and portable diesel powered equipment, including but not limited to bulldozers, graders, cranes, loaders, scrapers, backhoes, generator sets, compressors, auxiliary power units, with ARB certified motor vehicle diesel fuel (non-taxed version for use off-road)	administer this BMP on site. Contractor to administer this BMP on site.	Site inspection	and/or property owner Applicant and/or property owner	Construction During all construction activities	APCD Imperial County APCD		
AQ 12	Maximize to the extent feasible, the use of diesel construction equipment meeting the ARB's 1996 or newer certification standard for off-road heavy duty diesel engines	Contractor to administer this BMP on site.	Site inspection	Applicant and/or property owner	During all construction activities	Imperial County APCD		
AQ 13	Install diesel oxidation catalysts (DOC), catalyzed diesel particulate filters (CDPF) or other District approved emission reduction retrofit devices.	Contractor to administer this BMP on site.	Site inspection	Applicant and/or property owner	During all construction activities	Imperial County APCD		
AQ 14	The following standard mitigation measures shall be implemented into the	Contractor to administer this BMP on site.	Site inspection	Applicant and/or property owner	During all construction activities	Imperial County APCD		

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- (1) This capacity is for all of the south side of Hwy 98 development units with minor geometric modification of adding a turning lane at each leg of the Hwy 98 and Bowker Road Intersection subject to Caltrans approval.
- (2) See Project Report for Bowker Road Re-Alignment at Hwy 98 Corridor Improvement and Fair Share Cost Contribution Study East Calexico Area dated November 14, 2005. Modified Table A and Exhibit F is incorporated herewith.

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<p>construction of the project to minimize the impacts from development for Fugitive PM10 Control: 1) The entire site shall be pre-watered for 48 hours prior to clearing and grubbing; 2) Reduce the amount of the disturbed area where possible; 3) Water at least twice daily or otherwise stabilize all active construction areas; 4) All dirt stock-pile areas should be sprayed daily as needed; 5) Pave, apply water three-times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites; 6) Haul trucks shall cover loads or maintain at least 6" of freeboard when traveling on public roads; 7) Pre-moisten, prior to transport, import and export materials that have a silt content of 5% or greater. Water all materials with a silt content of 5% or</p>							

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(1) This capacity is for all of the south side of Hwy 98 development units with minor geometric modification of adding a turning lane at each leg of the Hwy 98 and Bowker Road Intersection subject to Caltrans approval.

(2) See Project Report for Bowker Road Re-Alignment at Hwy 98 Corridor Improvement and Fair Share Cost Contribution Study East Calexico Area dated November 14, 2005. Modified Table A and Exhibit F is incorporated herewith.

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	greater with a spray bar or cover trucks hauling dirt, sand, or loose materials. Empty trucks and trucks carrying asphalt material are excluded from this requirement; and 8) Sweep streets at the end of each day if visible soil mater is carried onto streets, or wash off truck and equipment leaving the site.							
AQ 15	The following discretionary mitigation measures shall be implemented into the construction of the project to minimize the impacts from development for Fugitive PM10 Control: 1) Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 mph the operators shall increase watering frequency; 2) Apply chemical soil stabilizers or apply water to form and maintain a crust on inactive	Contractor to administer this BMP on site.	Site inspection	Applicant and/or property owner	During all construction activities	City Planning Department Imperial County APCD		

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No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	<p>construction areas (disturbed lands within construction projects that are unused for at least four consecutive days); 3) Apply non-toxic binders (e.g. latex acrylic copolymer) to exposed areas after cut and fill operations and hydroseed areas; 4) Plant vegetative ground cover in disturbed areas as soon as possible and where feasible;</p> <p>5) Cover or apply water or chemical suppressants to form and maintain a crust on inactive storage piles; 6) All roadways, driveways, sidewalks, etc. to be paved should be completed as soon as possible. In addition, building pads should be laid as soon as possible after grading unless seeding or soil binders are used; 7) Vehicle speed for all construction vehicles shall not exceed 15 mph on any unpaved surface at the construction site; and</p> <p>8) Install wheel washers,</p>							

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	rumble gates, provide a gravel pad or pave the area where vehicles enter and exit unpaved roads onto streets, or wash off trucks and equipment leaving the site.							
AQ 16	Wet scrubbers for commercial kitchens within 500-feet of residential uses. Gasoline stations shall not be located within 500-feet of a residential use unless appropriate mitigation measures are adopted.	Shall be noted on City applications and site plans.	Site & building plan review	Applicant and/or property owner	Prior to occupancy of commercial facility	City Planning Department Imperial County APCD		
BIOLOGICAL RESOURCES								
BIO 1	Initial construction should be avoided during the breeding season from February 1 to August 31 st	A Preconstruction survey will be conducted prior to any construction activity. The project site will be staked and monitored weekly by a CDF&G Certified Biologist.	Site Inspection	Applicant and/or property owner	Prior to Issuance of grading permit	City Planning Department California Dept. of Fish and Game		
BIO 2	No construction is allowed within 160-feet of an active burrowing owl nest in the breeding season.	A Preconstruction survey will be conducted prior to any construction	Site inspection	Applicant and/or property owner	Prior to issuance of grading permit	City Planning Department California Dept. of Fish and		

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		activity. The project site will be staked and monitored weekly by a CDF&G Certified Biologist.				Game		
BIO 3	Any burrows that cannot be avoided should be mitigated at a 2:1 ratio with artificial burrows located in an adjacent protected area that provides a minimum 6.5 acres per pair or solitary owl.	Relocation of any owls shall be conducted by CDF&G certified biologist.	Site inspection	Applicant and/or property owner	Prior to issuance of grading permit	City Planning Department California Dept. of Fish and Game		
BIO 4	All on-site burrows need to be evaluated by an experienced BUOW biologist and confirmed as not having any owls in them before being closed during the non-breeding season from September 1 to January 31 st .	A Preconstruction survey will be conducted prior to any construction activity. The project site will be staked and monitored weekly by a CDF&G Certified Biologist.	Site inspection	Applicant and/or property owner	Prior to issuance of grading permit	City Planning Department California Dept. of Fish and Game		
BIO 5	With agency authorization, adult owls may be captured and translocated (active relocation) to an off-site permanently protected reserve where the adults would be temporarily held in breeding enclosures for 1-5	Relocation of any owls shall be conducted by CDF&G certified biologist.	Site inspection	Applicant and/or property owner	Prior to issuance of grading permit	City Planning Department California Dept. of Fish and Game		

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East Calixto Area dated November 14, 2005. Modified Table A and Exhibit F is incorporated herewith.

No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	months and then released.							
HYDROLOGY/WATER QUALITY								
HWDD 1	A Storm Water Pollution Prevention Plan (SWPPP) shall be prepared and kept on site during the entire construction of the development. A copy of the NOI with the Waste Discharge Identification Number (WDID) and a copy of the SWPPP shall be submitted to the Calxico Public Works Department	Contractor will maintain the SWPPP on site and will administer planned BMPs.	Site inspection	Applicant and/or property owner	Prior to issuance of grading permit or any construction activity	City Engineering Department		
HWDD 2	Post Construction BMPs shall be included throughout the project area: a. Drain inserts; b. Accessory parking lots and driveways shall be constructed and maintained with a pervious surface; c. the commercial retention/infiltration basin area shall be designed to include stormwater BMPs. d. All storm drains shall be signed with concrete stamp or other permanent sign with	Contractor will maintain the SWPPP on site and will administer planned BMPs.	Review of improvement plans and site inspections	Applicant and/or property owner	1. Prior to issuance of grading permit 2. Prior to issuance of building permit 3. Prior to occupancy 4. During the lifetime of the project	City Engineering Department		

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	a brief statement that prohibits dumping of improper materials. e. All landscaping shall be designed to efficient irrigation standards.							
HWD 3	The project shall incorporate Best Management Practices (BMPs) into the project design and construction. In addition, the project will include a maintenance plan for project designed BMPs.	Contractor will maintain the SWPPP on site and will administer planned BMPs.	Site inspections	Applicant and/or property owner	Prior to issuance of grading permit or any construction activity	City Engineering Department		
NOISE								
NOI 1	Four foot high screen walls along Bowler Road, west of the residential area, north of Piazza San Marco.	Wall design to be submitted with improvement or building permit plans	Plan review and site inspection	Applicant and/or property owner	Prior to Occupancy for the 1 st unit	City Planning Department City Engineering Department		
NOI 2	Operation times should be limited to daytime hours.	Contractor shall monitor the schedule	Site inspections	Applicant and/or property owner	During grading and construction	City Planning Department		
PUBLIC SERVICES								
PS 1	Through impact fees established by the City and the Calexico School District, the project will be able to mitigate the impacts to less	A mitigation agreement shall established between the developer and the school district.	Collection of fees	Applicant and/or property owner and the Calexico Unified School District	Prior to issuance of building permits	City Development Services City Planning Department		

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No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	than significant. The developer and school district have agreed to \$4.88 per square foot. In areas such as impact to public services and traffic, impact fees will be applied to the project Applicant and/or property owner. Necessary additional infrastructure improvements such as new sewer/water lines, roadway widen and re-alignment, and signalized intersections shall be installed as required or the developer shall participate it a fair share contribution. All public upgrades, improvements, facilities, equipment, and new personnel requirements will be subject to the City's Service Area Plan.					City Engineering Department		
RECREATION								
REC 1	Mitigation would be the payment of a regional park impact fee in lieu of providing on site parks. The	Parkland shall be dedicated and credit toward park fees will be considered if	Collection of fees	Applicant and/or property owner	Prior to issuance of building permit	City Development Services City Planning		

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No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	project includes a neighborhood park.	dedication is insufficient				Department, City Parks & Recreation		
TRANSPORTATION/TRAFFIC								
Transportation Roadway Segments (TRS)								
TRS 1	<u>SR98, Meadows to Bowker</u> Cumulative - Widen to classification of a State Highway with 6 lanes (Alternatives 1 & 2)	Applicant to provide Fair Share Special Infrastructure fees of 5.03% to widen the Highway (2)	Collection of fees	City of Calexico	Prior to the recording of any Final Map (1)	City Development Services City Planning Department, City Engineering Department		
TRS 2	<u>Bowker, Cole to SR98</u> Direct - Widen to ultimate R/W with 4-lanes. (Alternatives 1 & 2)	Applicant to provide Fair Share Special Infrastructure fees of 5.03% to widen the Highway (2)	Collection of fees	City of Calexico	Prior to the recording of any Final Map. (1)	City Development Services, City Planning Department, City Engineering Department		
TRS 3	<u>Bowker, Cole to SR98</u> Cumulative - Widen to	Applicant to provide Fair Share Special Infrastructure fees of	Collection of fees	City of Calexico	Prior to the recording of any Final Map	City Development Services, City		

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	ultimate R/W with 4-lanes. (Alternatives 1 & 2)	5.03% to widen the Highway (2)			(1)	Planning Department, City Engineering Department		
TRS 4	Bowler, South of SR98 Direct - Widen to ultimate R/W with 4-lanes. (Alternatives 1 & 2)	Applicant to provide Fair Share Special Infrastructure fees of 5.03% to widen the Highway (2)	Collection of fees	City of Calexico	Prior to the recording of any Final Map	City Development Services, City Planning Department, City Engineering Department		
TRS 5	Bowler, South of SR98 Cumulative - Widen to ultimate R/W with 4-lanes. (Alternatives 1 & 2)	Applicant to provide Fair Share Special Infrastructure fees of 5.03% to widen the Highway (2)	Collection of fees	City of Calexico	Prior to the recording of any Final Map (1)	City Development Services, City Planning Department, City Engineering Department		
TRS 6	SR-98/Bowler Road Interim Intersection and Segments The project has a direct impact and is responsible for installing the traffic signal, widen of Hwy 98 with accel and decel lanes.	The project consists of 249 single family dwelling units and 127,000 square feet of community commercial land use. The project will be	Prior to Recording of any Final Map Interim: Construct by applicant Ultimate:	City of Calexico Development Service Department, Engineering Division,	Prior to Recording of any Final Map Interim: Prior to Recording of any Final Map	City of Calexico Development Service Department, Engineering Division,		

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	and the Bowker Road roadway width within a 60 feet R/W width geometric. The project is responsible for providing ultimate half-width right of way on SR-98 along their project frontage, and is responsible for providing ultimate right of way on Bowker Road (both sides) along their project frontage based on the Ultimate Geometric as per prior approval. The proposed interim improvements also include installation of a traffic signal at the intersection (warrants in Traffic Report), left turn channelization for both directions on Bowker Road, and the addition of right turn channelization for eastbound SR-98. Left turn channelization is already in place on SR-98 at the intersection.	developed in phases, with phase 1 to include the 249 dwelling units and 44,000 square feet of commercial. Phase 2 will complete the remaining commercial. In order for development of Phase 2 of the project, the City of Calexico and Caltrans will need to enter into a memorandum of understanding (MOU) defining the ultimate SR-98, and Developer shall be responsible and the implementation for the terms of the MOU between the City and Caltrans. Caltrans has conditioned that this interim off-site improvement is a	Made Payment Deposit to City for the development of the MOU, PEER, Off-site plans design, processing, and coordination for the permit.		Ultimate: Prior to issuance of building permit for payment of fees. Prior to Occupancy of any unit for the Construction of Improvements.			

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TRS 7	<u>State Route SR 98 west of Meadows</u> State Route 98 west of Meadows demonstrates LOS D for the year 2015 condition. This segment is ultimately a Highway designation. The project is part of the need for these improvements and will pay their fair share and/or pay into a traffic mitigation fee program established by the City if Calexico. Fees shall be pay at the rate of \$12.00 per Project ADT.	City project that can be performed with a PEER together with the MOU as stated above. Payment of Fair Share fee at \$12.00 per ADT. (Project generated ADT=12,650).	Payment by Applicant	City of Calexico Development Service Department, Engineering Division,	Prior to Recording of any Final Map	City of Calexico Development Service Department, Engineering Division,		

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Transportation Intersections (TI)								
TI 1	SR98@ Meadows/Andrade Cumulative - Add eastbound/westbound through lanes, northbound left, northbound right, and southbound right. (Alternatives 1 & 2) No R/W is available for traffic lane addition. Other mitigating alternative would be to upgrade existing signal with overlapped SB right-turn signal phasings and improved timings	Applicant to provide impact fees (Payment of Fair Share fee at \$12.00 per ADT impact to intersection) to intersection improvements.	Collection of Fees	City Engineering Department	Prior to issuance of grading permit or recording of any Final Map whichever is earlier.	City Engineering Department		
TI 2	SR98 @ E. Rivera Short Term - Signalize (Alternatives 1 & 2)	Applicant to provide impact fees (Payment of Fair Share fee at \$12.00 per ADT impact to intersection) to intersection improvements.	Collection of Fees	City Engineering Department	Prior to issuance of grading permit	City Engineering Department		
TI 3	SR98 @ E. Rivera Cumulative - Signalize and	Applicant to provide impact fees (Payment	Collection of fees					

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No.	Mitigation Measure	Implementation Action	Monitoring Method	Responsible Monitoring Party	Monitoring Phase (Time Frame)	Verification /Approval Party	Mitigation Measure Implemented? (Y/N) & Date	Documentation Location (Monitoring Record)
	add additional east/west through lanes. (Alternatives 1 & 2) In addition, add a second westbound left-turn lane.	of Fair Share fee at \$12.00 per ADT impact to intersection) to intersection improvements.		City Engineering Department	Prior to issuance of grading permit, or recording of any Final Map whichever is earlier.	City Engineering Department		
TI 4	<u>SR98 @ E. Rivera</u> Future - Add eastbound right lane. (Alternatives 1 & 2)	Applicant to provide impact fees (Payment of Fair Share fee at \$12.00 per ADT impact to intersection) to intersection improvements.	Collection of fees	City Engineering Department	Prior to issuance of grading permit, or the recording of any Final Map whichever is earlier.	City Engineering Department		
TI-13	<u>SR98 @ Bowker</u> Direct - Signalize and construct ultimate intersection lane	Applicant to provide impact fees of 5.03% to intersection improvements (2)	Collection of fees	City Engineering Department	Prior to issuance of grading permit, or the recording of any Final Map	City Engineering Department		

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	configurations (Alternatives 1 & 2)				whichever is earlier.			
TI-14	<u>SR98 @ Bowker</u> Short Term - Signalize and construct ultimate intersection lane configurations (Alternatives 1 & 2)	Applicant to provide impact fees of 5.03% to intersection improvements (2).	Collection of fees	City Engineering Department	Prior to issuance of grading permit, or the recording of any Final Map whichever is earlier.	City Engineering Department		
TI-15	<u>SR98 @ Bowker</u> Cumulative - Signalize and construct ultimate intersection lane configurations (Alternatives 1 & 2)	Applicant to provide impact fees of 5.03% to intersection improvements (2)	Collection of fees	City Engineering Department	Prior to issuance of grading permit, or the recording of any Final Map whichever is earlier.	City Engineering Department		
TI-16	<u>SR98 @ Bowker</u> Future - Construct ultimate intersection lane configurations (Alternatives 1 & 2)	Applicant to provide impact fees of 5.03% to intersection improvements (2)	Collection of fees	City Engineering Department	Prior to issuance of grading permit, or the recording of any Final Map whichever is earlier.	City Engineering Department		

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TI-23	Bowler @ Project Access Direct - Construct east and west legs of intersection and as all way stop controlled (Alternatives 1 & 2)	Design to be shown in the Improvement Plans and Final Map	Final Map plan check review	Applicant and/or property owner	Prior to recordation of the 1 st Final Map	City Engineering Department		
TI-24	Bowler @ Project Access Short Term - Construct east and west legs of intersection and as all way stop controlled (Alternative 1)	Design to be shown in the Improvement Plans and Final Map	Final Map plan check review	Applicant and/or property owner	Prior to recordation of the 1 st Final Map	City Engineering Department		
TI-25	Bowler @ Project Access Short Term - Construct east and west legs of intersection and as all way stop controlled (Alternative 2)	Design to be shown in the Improvement Plans and Final Map	Final Map plan check review	Applicant and/or property owner	Prior to recordation of the 1 st Final Map	City Engineering Department		
TI-26	Bowler @ Project Access Cumulative - Construct east and west legs of intersection, signalize (Alternatives 1 & 2)	Design to be shown in the Improvement Plans and Final Map	Final Map plan check review	Applicant and/or property owner	Prior to recordation of the 1 st Final Map	City Engineering Department		
UTILITIES AND SERVICE SYSTEMS								
UTI 1	The project will contribute	Improvement Plans	Collection of fees	Applicant	Prior to issuance of	City		

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	its fair share to the City for wastewater services in addition to providing new infrastructure to serve the project area. Mitigation measures shall be paid through impact fees.	shall include all on-site and off-site improvement designs	or the Establishment of the CFD.	and/or property owner	building permit or Recordation of any Final Map as may be stated in the Conditions of Approval.	Development Services City Planning Department City Utilities Services /Engineering Department		

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TABLE "A"

Area #	Description	Acreage	Type of Use	ADT	% of Total ADT
1b	Santa Fe Subdivision	225.13	per traffic study	18,528	7.67%
1c	Area Bounded by Jasper, Bowker, Cole and Meloland	480	Assume 10% Commercial, 60% Residential (25 units/acre), 30% Single-Family Residential (6 units/acre)	67,309	27.87%
1f	Area Bounded by Bowker & Central Main Canal	28.66	Industrial	1,809	0.75%
1g	Area Bounded by Bowker & Hwy 98	18.49	Industrial	1,167	0.48%
1h	Area Bounded by Hwy 98, Central Main Canal & All American Canal	36.75	Industrial	2,319	0.96
1i	Venezia Subdivision	76.58	per traffic study	12,140	5.03%
1j	Tierrasanta Unit 2 (Commercial)	12.90	per traffic study	7,248	3.00%
1k	Tierrasanta South	16.70	Assume Multi-Family Residential (25 units per acre)	4,000	1.66%
1m	CM Ranch Subdivision IIA	346.60	Assume 10% Commercial, 20% Multi-Family Residential (25 units/acre),	52,352	21.68%

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			70% Single-Family Residential (6 units/acre)		
1n	CM Ranch Subdivision IIB	193.20	Assume 20% Residential (25 units/acre) 80% Residential (6 units/acre)	18,120	7.50%
1l	CM Ranch Subdivision	702.00	per traffic study	56,538	23.40%
Total Acreage		2,718.01	Total Daily Project Trips	241,522	100.00%

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CDF&G – California Department of Fish & Game
SWPPP – Storm Water Pollution Prevention Plan

- (1) This capacity is for all of the south side of Hwy 98 development units with minor geometric modification of adding a turning lane at each leg of the Hwy 98 and Bowker Road Intersection subject to Caltrans approval.
- (2) See Project Report for Bowker Road Re-Alignment at Hwy 98 Corridor Improvement and Fair Share Cost Contribution Study East Calexico Area dated November 14, 2005. Modified Table A and Exhibit F is incorporated herewith.

RESOLUTION NO. 2008-16

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALEXICO, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVAL OF THE TENTATIVE SUBDIVISION MAP AMENDMENT WHICH AMENDS CERTAIN CONDITIONS OF APPROVAL AND MITIGATION MEASURES RELATED TO TRAFFIC & CIRCULATION AND TO ALLOW FOR THE DEVELOPMENT OF 249 RESIDENTIAL UNITS, 2 OPEN SPACE UNITS, AND 1 COMMERCIAL HIGHWAY UNIT FOR VENEZIA SUBDIVISION - UANO. 2003-73

WHEREAS, Westmount Properties, has submitted an application for the Venezia Tentative Subdivision Map Amendment. The approximate 78.31 acre site is located outside the City's eastern city limit boundary south of the All American Canal and east of Highway 98; and

WHEREAS, the request for amendment applies to the amendment of certain Conditions of Approval and Mitigation Measures contained in the Mitigation Monitoring Program which relates to traffic and circulation issues. As a result of this request, additional conditions of approval will be triggered resulting from updated policies established to date. The original subdivision design concept will remain unchanged.

WHEREAS, the Planning Commission of the City of Calexico has been delegated with the responsibility of making recommendations to the City Council for approval of subdivision maps; and

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Development Services Department and other interested parties at a public hearing held with respect to this item on September 22, 2008.

WHEREAS, on the 22nd day of September, 2008 the Planning Commission held a duly advertised public hearing and after public comment, recommended approval of the Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73; and

WHEREAS, the Planning Commission of the City of Calexico finds that the Tentative Subdivision Map Amendment is consistent with the objectives of the development policies of the City of Calexico, and

NOW THEREFORE, the Planning Commission of the of the City of Calexico DOES HEREBY make the following findings as supported by the maps, exhibits and

documentation of said tentative map amendment all of which are herein incorporated by reference.

SECTION 1. That in accordance with State California Subdivision Map Act and requirements of the City of Calexico the following Findings for the approval of Tentative Subdivision Map Amendment No. 2003-73 have been made as follows:

1. The proposed subdivision, together with the provisions for the design and improvement, are consistent with the General Plan; Zoning Code; Title 16 of the Municipal Code relating to Subdivisions; and the State Subdivision Map Act.

The design of the project and subdivision are consistent with the General Plan and Zoning designations. The project is consistent with the designated land use planning area, development and design standards, and all other appropriate requirements contained in the General Plan, Calexico Municipal and Zoning Codes, and Subdivision Map Act.

2. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan (Government Code Section 66473.5).

The project is consistent with the land use plan, development and design standards and programs, and all other appropriate requirements contained in the General Plan. As discussed, the General Plan designates the project site as Commercial and Residential. The Tentative Subdivision Map is consistent with the City of Calexico General Plan and Zoning Code designations, and other applicable development and design standards.

3. The effects this proposed subdivision is likely to have upon the housing needs of the region, the public service requirements of its residents, and the available fiscal and environmental resources have been considered and balanced.

The project is consistent with the City's General Plan and Municipal and Zoning Codes, and will provide necessary public services and facilities, will pay all appropriate fees, and will not result in any adverse environmental impact, with the implementation of mitigation measures contained in the Supplemental to the Mitigated Negative Declaration for the Venezia Project.

4. The design of the subdivision provides to the greatest extent possible, for future passive or natural heating or cooling opportunities in the subdivision (Government Code Section 66412.3).

The project will comply with all appropriate conservation requirements of the City and Uniform Building Code.

SECTION 2. Environmental Determination pursuant to the California Environmental Quality Act (CEQA). Via a separate resolution, a Final Supplemental Mitigated Negative Declaration has been prepared and approved by Calexico Planning Commission in accordance with the City of Calexico adopted guidelines to implement CEQA.

SECTION 3.

CONDITIONS OF TENTATIVE SUBDIVISION MAP AMENDMENT APPROVAL

WHEREAS, the Planning Commission of the City of Calexico approves tentative subdivision map amendment, attached hereto as Exhibit A, subject to the following conditions of approval:

The following conditions shall be complied with before a final map is approved by the City Council and filed with the County Recorder of Imperial County or as stated in the condition or MMRP (and, where specifically indicated, shall also be complied with prior to issuance of grading or other permits as specified)

PLANNING DIVISION CONDITIONS

GENERAL CONDITION

1. The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Official, Officers, Employees, Consultants and Agents from any claim, action, or proceeding against the City, its Official, Officers, Employees, Consultants or Agents to attach, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning the Venezia project, which action is brought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and will cooperate fully with the defense. If the City fails to promptly notify the Applicant of any such claim, or proceeding, the Applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City.
2. The Tentative Subdivision Map shall expire two (2) years from date of approval unless within that period of time the applicant/developer submits all appropriate documentation for a Final Map which shall include CC&R's and appropriate instruments have been filed and recorded with the County Recorder, or an extension of time is granted by the City of Calexico City Council in accordance with the Subdivision Map Act.
3. The Tentative Subdivision Map shall comply with the State of California

Subdivision Map Act and shall comply with all applicable requirements of the Calexico Municipal Code, Title 16 unless modified by approved Conditions of Approval.

4. Prior to final certificate of occupancy of Tentative Subdivision Map, the project improvements specified herein and approved by the Planning Commission and the City Council shall be installed, or agreements for said project improvements, shall be submitted to the City for approval by the City Engineer, and all other stated conditions shall be complied with. All uncompleted improvements must be bonded for as part of the agreements.
5. Prior to the first certificate of occupancy the applicant shall prepare and record CC&R's. The CC&R's shall be reviewed and approved by the Development Services Director or Designee and the City Attorney. To the extent legally permissible, the CC&R's shall include methods of maintaining common areas, open space lots, landscaped areas including parkways, and methods for common maintenance of all underground, and above ground utility infrastructure improvements necessary to support the complex. Condition 5 – 7 shall not apply to improvements by city for public maintenance.
6. No unit in the development shall be sold unless (one or more in combination of) a corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity has been formed with the right to financially assess all properties individually owned or jointly owned which have any rights or interest in the use of common facilities in the development, such assessment power to be sufficient to meet the expenses of such entity/ies, and with authority to control, and duty to maintain, all said mutually available features of the development. To the extent legally permissible, such entity/ies shall operate under recorded CC&R's which shall include compulsory membership of all owners of lots and/or dwelling units and flexibility of assessments to meet changing costs of maintenance, repairs, and services. Recorded CC&R's shall permit enforcement by the City for provisions required as Conditions of Approval. The applicant shall submit evidence of compliance with this requirement to, and receive approval of, the City prior to making any such sale. This condition shall not apply to land dedicated to the City for public purposes. Membership in the Home Owner's Association, corporation, association, property owner's group, Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity shall be mandatory for each buyer and any successive buyer in that HOA or a Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity shall be established as a method of maintaining common areas, parking and drive aisles areas, landscaped areas including parkways, retention basins, parks, and street lighting. Right of way parkway includes all adjacent areas to Bowker, Hwy. 98 and primary streets.

7. ~~All open space, landscaping, and parkway areas shall be maintained by the Home Owner's Association or a Community Facilities District, Benefit Area District, or other similar financing mechanism. Deleted By Planning Commission Action~~
8. Vehicle access to the proposed lots shall only be allowed in the front of the lot as approved in the Tentative Subdivision Map. No rear or side entry access is permitted.
9. In the event the corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, or other similar financing mechanism/entity fail to maintain said common area in such a manner as to cause same to constitute a public nuisance, said City may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon said common area, individual units or whole thereof as provided by law.
10. The applicant shall comply with those mitigation measures identified in the Mitigation Monitoring Program adopted with the Supplement to the Mitigated Negative Declaration for the Venezia Subdivision and all applicable requirements of the Calexico Municipal Code; Title 17 unless modified by approved Conditions of Approval.
11. ~~The project shall comply with the all applicable requirements of the Calexico Municipal Code; Title 17 unless modified by approved Conditions of Approval. Deleted by Planning Commission Action.~~
12. The applicant shall at all times comply with Noise Control Ordinance of the Calexico Municipal Code.
13. Any new Residential & Commercial development and associated requirements including any proposed Parks and Open Space lots shall be subject to the Design and Development Review procedures and the City of Calexico Residential Design Guidelines.
14. A decorative block wall shall be constructed along the residential frontage project's primary access routes such as Bowker and where primarily visible from major streets, perimeter, subject to the review and approval of the Director of Development Services or designee.

PRIOR TO BUILDING/GRADING PERMITS

15. Building Division Plan Check. All Conditions of Approval shall be met prior to the issuance of a Certificate of Occupancy and release of utilities or as otherwise stated in the condition or MMRP.

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16. All site improvements approved with this request shall be constructed as indicated on the approved site plan and elevations. Revisions to approved site plans shall be subject to the review of the Development Services Director. All plans submitted for Building Division Plan Check shall conform to the submitted plans as modified by Conditions of Approval, or the Planning Commission/City Council through subsequent action.
17. All exterior on-site lighting shall be shielded and directed on-site so as not to create glare onto neighboring property and streets or allow illumination above the horizontal plane of the fixture. All light fixtures shall match the architectural style of the building.
18. The Planning Division shall approve the location of any construction trailers utilized during construction. All construction trailers shall require a temporary permit processed through the Planning Division.
19. Onsite surface drainage shall not cross sidewalks as to cause permanent water accumulation.
20. All Open Space lots, including detentions basins, shall be landscaped and irrigated. All exposed slopes in excess of three feet in height shall have a permanent irrigation system and erosion control vegetation installed, approved by the Planning Division.
21. Prior to issuance of any grading permit or building permits, the applicant shall sign and complete an "Acknowledgement of Conditions" form and shall return the executed original to the Planning Division for inclusion in the case records.
22. Prior to the commencement of grading operations, the applicant shall provide a map of all proposed haul routes to be used for movement of dirt material. Such routes shall be subject to the review and approval of the City Engineer. A bond may be required to pay for damages to the public right-of-way caused by the hauling related to the Venezia project, subject to the approval of the City Engineer.
23. A Final Landscaping/Irrigation Detail Plan shall be submitted, reviewed and approved by the Development Services Director or designee, prior to issuance of building permit. The residential portions shall be subject to Residential performance Standards in the Zoning Code. The following requirements shall only apply to portions of the Venezia project which are not residential.
 - a) All planting areas shall have permanent and automatic sprinkler system with 100% coverage of plant and grass using a combination of drip and conventional irrigation methods.
 - b) Applicant shall plant street trees, a maximum of forty feet (40) apart and at least twenty-four-inch (24") box in size.

- c) All planting areas shall be separated from paved areas with a six inch (6") high and six inch (6") wide concrete curb.
 - d) Planting within fifteen feet (15') of ingress/egress points shall be no higher than thirty-six inches (36").
 - e) Landscape planters shall be planted with an appropriate parking lot shade tree to provide for 50% parking lot shading in fifteen (15) years.
 - f) Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.
 - g) All landscape improvements shall be HOA or a Community Facilities District, Benefit Area District, or other similar financing mechanism maintained from installation sign-off by the City.
 - h) All landscaping and irrigation shall be installed within affected portion of any phase at the time a Certificate of Occupancy is requested for any building. All planting areas shall include plantings in the Xeriscape concept, drought tolerant grasses and plants.
 - i) Final landscape plan must be consistent with approved site plan/landscape plan.
 - j) ~~The project shall include a minimum of thirty-five trees per gross acre. Twenty percent shall be twenty-four inch box size or larger, seventy percent shall be fifteen gallon size and ten percent shall be five gallon size. The project shall comply with the applicable Residential Performance Standards identified in the Calexico Zoning Code. Deleted by Planning Commission Action~~
 - k) Final landscape plans to include planting and irrigation details.
24. Applicant shall comply with the requirements of the Imperial Irrigation District (IID). Proof shall be presented to the Chief Building Official prior to issuance of building permits and final approval.
25. Prior to issuance of building permits, applicant shall provide assurance that all required fees to the Calexico Unified School District have been paid pursuant to these conditions of approval.
26. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Fire Department have been met.

27. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Police Department have been met.
28. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Community Services and Recreation Department have been met.
29. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Utilities Services Department have been met.
30. Prior to the issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Finance Department have been met consistent with and in accordance with these conditions of approval (i.e. Community Facilities District, Lighting and Landscape Maintenance District, etc.).

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

31. The Home Owner's Association corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, and/or other similar financing mechanism/entity shall be established prior to the occupancy release of the first dwelling unit.
32. The proposed Park and Open Space lots shall be funded, constructed and fully completed, including all amenities, prior to the issuance of the one hundredth (100th) certificate of occupancy. A bond shall be required prior to the COO of the 1st unit.

ENGINEERING DIVISION CONDITIONS

33. Improve or guarantee the necessary street improvements in conformance with the project corridor traffic study that will mitigate potential traffic impacts to include: all the specific conditions and the mitigation measures as specified herein and the mitigation monitoring program.
34. Improve or guarantee the improvement of the necessary water and sewer line extensions from the city of Calexico to service the proposed project at the expense of the developer based on the updated Service Area Plan to the satisfaction of the City Engineer.
35. Dedicate the necessary right-of-way and land to the appropriate jurisdictions (i.e., street, park dedication, etc.) as shown in the subdivision tentative map, to the satisfaction of the City Engineer/Director of Development Services.
36. Create a financing mechanism (assessment district, community facilities district and/or maintenance district, and/or other mechanism/entity) to support the ongoing

maintenance of the parks, landscaping, lighting and regional drainage services, storm water retention system facilities, fire/police services.

37. Prior to submittal of any improvement plan for plan check, geotechnical study and soils report of the project site shall be conducted to the satisfaction of the City Engineer. An approved copy of the geotechnical study and soils report, in accordance with the subdivision map act, applicable codes, and city standards, shall be submitted with the improvement plans.
38. The developer shall submit and receive an NPDES permit from the regional water quality control board in accordance with a storm water pollution prevention plan approved by the city engineer. The storm water pollution prevention plan shall include best management practices (BMP's).
39. A site specific drainage study in conformance with the sub-regional storm water retention system shall be conducted by a registered hydraulic engineer and submitted for review and approval by the city and IID. The drainage study may incorporate temporary retention basins; however, the design of the drainage system shall be in conformance with the City's sub-regional storm water retention system.
40. Any temporary relocation of private or IID canals and drainage ditches shall be approved by IID.
41. All retention facilities and drainage improvements shall be installed to the satisfaction of the City Engineer.
42. Temporary retention basin(s) shall be required to retain the residential and commercial runoff of the entire area (streets and lots) until a regional storm drain facility becomes available. The cost of the temporary retention basin shall be the responsibility of the developer. The temporary retention basin(s) shall be sized for a 100-year/24-hour storm and bonded for removal to the satisfaction of the City Engineer.
43. Prior to submittal of improvement plans, the applicant shall provide the following master plans, to the satisfaction of the City Engineer:
 - a. Water master plan (including domestic and fire flow analysis)
 - b. Sewer master plan (including sewer capacity flow and calculations)
 - c. Drainage master plan (including both hydrology and hydraulic calculations)
 - d. Street classification and traffic circulation master plan
 - e. Master Utilities plan as required by other jurisdictions.
44. All Master plans and improvements plans shall be in conformance with chapter III of the city standards entitled "City of Calexico Design Procedures and Improvement

Standards" updated December 1, 2005 herein called city standards and any subsequent revisions and modifications and as specified in these conditions.

45. Fire hydrants shall be placed not more than 300 ft apart and nor more than 300 ft from buildings.
46. The developer shall participate in the project's pro-rated share of the costs for the improvement of the sub-regional storm water retention system, or at the discretion of the City of Calexico, be responsible for the improvement of the portion of the sub-regional storm water retention system needed to serve the entire drainage area. The sub-regional storm water retention system shall be in conformance with the drainage master plan and the City's most recent service area plan, and in accordance with city standards.

STREET IMPROVEMENTS AND TRAFFIC CIRCULATION

47. Primary arterials, collectors, and local site access streets of applicable street right-of-way widths shall be dedicated.
48. Improve or guarantee the improvement of road improvements and participate in a fair share contribution, as per requirements of the tentative map amendment and the specific conditions. The road improvements and fees for primary arterials and collector streets shall be in accordance with the City of Calexico service area plan, benefit assessment areas, special infrastructure fee, and impact fee program to the satisfaction of the City Engineer.
49. Developer shall retain qualified California registered civil engineer for design services in accordance with the City Standards.
50. Improvement plans, record maps, traffic control plans, and intersection "stop" sign control plans for all interior streets shall be prepared to the satisfaction of the City Engineer.

BONDS AND SURETY

51. Prior to the submittal of bonds, the applicant/developer/design engineer shall submit construction cost estimate for all required improvements using City's provided unit cost items and standards for review and approval.
52. The developer shall submit and provide all required improvement bonds and surety to the satisfaction of the City Engineer.

IMPACT FEES AND FAIR SHARE ASSESSMENT FEES

53. The developer shall document and make payment of development impact fees for police services in accordance with the city council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
54. The developer shall document and make payment of development impact fees for fire protection services in accordance with the City Council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
55. The developer shall document and make payment of applicable school impact fees for Calxico Unified School District, as determined by state law, (currently SB 50) to the satisfaction of the Calxico Unified School District.
56. The developer shall document and make payment of development impact fees for park facilities and services in accordance with the City Council adopted standards to the satisfaction of the Director of Development Services.
57. The developer shall document and make payment of development impact fees for library facilities and services in accordance with the City Council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
58. The developer shall document make payment of development impact fees for sewer and water facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
59. The developer shall document make payment of development impact fees for transportation facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
60. The developer shall document make payment of development impact fees for public facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
61. The developer shall document make payment of development impact fees for administration services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.

62. The developer shall document and/or make payment of fees for Art in Public Places in accordance with the City Council adopted standards to the satisfaction of the Director of Development Services.

FAIR SHARE FEES

63. The developer shall pay for all applicable fees. These fees shall included but not be limited to impact fees, special infrastructure fees, benefit area assessment fees, and engineering plan check and inspection fees as determined and conditioned therein.
64. In addition to the required development impact fees for streets, water, sewer, police, fire, library, school and utility improvements, the developer shall participate in the project's prorated fair share of the costs identified in the SPECIFIC CONDITIONS, Traffic Studies, and the Mitigation Monitoring Program of the CEQA document.

NOISE

65. A detailed acoustical analysis shall be conducted for residential uses within the vicinity of CNEL 60 DB or higher noise conditions; for office and professional buildings and recreational commercial facilities within 65 DB or higher conditions; and all other land uses, except agriculture, within 70 DB or high noise conditions. The developer shall construct sound walls or berms along major thoroughfares or provide other noise attenuation in order to achieve the general plan interior and exterior noise standards.

UTILITIES

66. The developer shall coordinate with the IID regarding the location, financing, designing, and phasing of required on-site electrical facilities.
67. The developer shall pay fair share cost based on dwelling units for both the regional sewer lift station and the construction of a new force main and gravity lines that will be necessary to upgrade the sewer collection system. The fair share shall be calculated by taking into account the entire area served by the regional sewer lift station and upgraded sewer collection system, as appropriate.
68. The developer shall pay for the necessary upsizing of the sewer pipeline in order to connect into the existing sewer collection system.

SCHOOL

69. The project shall dedicate or pay a fee in-lieu of school site dedication in accordance with condition #55.

SPECIFIC CONDITIONS

Street Circulation Element Conditions

70. Jade Ave. connection at Highway 98 south of the Tierra Santa Subdivision (the approved location of the Tierrasanta Unit 1 at the north side) shall not be made and required at this time, but shall dedicate the required Jade Ave. rights of way (R/W) as per the updated traffic study entitled "Traffic Study For Venezia Mixed Use Development In the Calexico Area of Imperial County" by Bill Darnell and Associate dated April 3, 2008 and in accordance with the Mitigation Monitoring Program for the Venezia Supplement to the Mitigated Negative Declaration.
71. Bowker Road will ultimately need to be extended to include the bridge widen with an IID approved structural crossing to include the intersection at the Highway 98 with the All American Canal. The bridge crossing and highway combined alignment is approximately 350 feet in length by 126 feet in width on Bowker Road. Additionally, Hwy 98 widening to four lanes will be required on both sides. Bowker Road is the only existing primary ingress and egress access point; therefore, the interim mitigation measure for the Bowker Road and Hwy 98 intersection improvement with the modified geometric based on the PEER report submitted to Caltrans for review will need to be constructed all at the Developer's cost prior to the issuance of occupancy permit for the project. Additionally, the developer shall pay or post security for the fair share cost for the ultimate improvement as prepared shall be made prior to the recordation of any final map. Based on the location, need, and conditions of the project, a benefit area map and percent of the improvement cost (5.03%) has been identified for this ultimate improvement (*See Table A*).

Note: Benefit assessment cost percentage may vary subject to any deviation and changes base on public hearing and subsequent City Council action.

72. The approved TSM shall provide a street connection of 75 feet R/W (or width to conform with the south development) north-south street connection at approximately 1,000 feet west of the eastside tract boundary. The Design Engineer shall coordinate the design with the south boundary development (Prior CM Ranch layout) to insure compliance of the City's Street Circulation Element.
73. Hwy 98 widening (Andrade Ave to Cole Road) and Cole Road widening (Bowker Road to Hwy 98) shall be considered a part of the Corridor Benefit Assessment Areas.
 - f. These two roadway corridors will be established as the Hwy 98 and Cole Road Corridor Benefit Assessment Areas as per Caltrans requirement and conditions.

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- g. The fair share cost for the improvement has not been finalized and approved by the City Council. Based on the location, need, and conditions of the project, a benefit area map and percent of the improvement cost (5.03%) for Bowker Road has been identified in this area (*See Table A*).

Note: Benefit assessment cost percentage may vary subject to any deviation and changes base on public hearing and council action.

Other City Wide Street Circulation Impacts

- 74. Fair share cost subject to percent of ADT for roadway improvements will be determined as part of the MMP submitted with the project that may include but not be limited to the following:

- h. Rockwood Road / Cole Road Intersection realignment of the eastbound through lane.
- i. Rockwood Road/Cole Road intersection replacement of split signal phasing with actuated, left-turn phasing.
- j. Jasper Road widening (Bowker Road to SR 111) and Jasper Road/SR 111 signalization.
- k. Bowker Road widening from Jasper Road to Cole Road.
- l. Bowker Road widening from Cole Road to SR 98.
- m. Citywide traffic signal synchronization.
- n. SR 98 and Andrade (Meadows) Ave.
- o. SR 98 and Jade Ave.

Drainage Element Conditions

- 75. The drainage element for all development shall comply with the City's Existing Drainage Facilities as defined in Section 5 of the Proposed Drainage Service Area Plan (DSAP) Report requirement and any modification herein or the General Plan Update that is in progress. The Sub-Regional Retention Basin Concept for the City of Calexico's south-east area is identified along LaVigne Road at the south development area (Note: per prior CM Ranch Concept Map).
- 76. Integrate retention basin design with the City's master plan of retention basins to accompany the Sub-Regional Retention Basin Concept. Pay all costs as identified in the current DSAP including the amount of land require off-site in fair market value determination. Additionally, this will be maintained and setup of a Community Facility District (CFD) and/or other financing mechanism/entity.
- 77. In the event that this subdivision proceeds before the regional retention basin proposed in the City's Drainage Master Plan is in service the developer will be responsible to construct a temporary retention to serve the subdivision according to the current City design standards and criteria prior to the issuance of the certificate

of occupancy and/or City acceptance. The developer will be responsible to construct a temporary connection into the existing Imperial Irrigation Drain along the All American Canal. Developer shall contribute fair share basis (subject to capacity and runoff criteria determination, or as determined per the SAP) of special infrastructural fees toward regional retention basin.

78. Submit a master plan of hydrology and drainage map for review and approval prior to the submittal of the phase 1 unit map and improvement plans.

Sewer Element Conditions

79. The off-site trunk sewer line and the Regional Pump Station that the development connects at Bowker Road will provide the sewer services at the east side of E. Rivera and south of the All American Canal developments. In the event that the subdivision proceeds ahead before the Regional Pump Station and off-site sewer line proposed along Bowker Road are built, the City will allow the development to provide sewer services to the subject subdivision via the existing Andrade Sewer Pump Station gravity line at Hwy 98 and Andrade Ave. The developer shall construct all the improvements required including but not limited to a new sewer pump station within the subject subdivision and a sewer main to convey the sewer flows generated by the subdivision that will run South along Bowker Road and West on LaVigne Road and Highway 98 (Southern side) and the connection into existing gravity line near the Andrade sewer lift station). Coordinate with the City for the exact layout and connection requirement. The sewer facilities must be in operation prior to the issuance of any certificate of occupancy.
80. Prepare a sewer master plan that is in accordance with the City's master sewer plan and to ascertain that the in-tract gravity lines will be able to accommodate the sewer flows generated by the Venezia Subdivision. The Developer is required to construct all the necessary improvements to provide sewer services to the subdivision.

Water Element Conditions

81. The City is currently in the process of constructing its Phase III water master plan at the eastside. The developer shall be responsible in making the necessary waterline connection running north at Bowker Road, and will need to be incorporated into the Bowker Road project; however, a second waterline loop will be required at the eastside street tract boundary.
82. Prepare a water master plan (in-tract water line layout and hydraulic calculations) that integrates with the City's Phase III and the south development water master plan to insure compliance of the City's current water master plan.
83. Provide a second connection of proper size at the eastside to form a loop connection for the water master plan as stated above.

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84. In order to provide water to the proposed development before the 30-inch(or size as modified in subsequent study report) diameter water main proposed for Bowker Road is built, the Developer will be responsible to prepare a detailed water study to evaluate the alternative to connect into the existing municipal water distribution system as follows:
- p. Connect to the North of the development to the existing 12-inch diameter water line along Bowker Road near the northern side of Highway 98,
 - q. Connect to the West of the Development; via the construction of a water line that will loop the proposed water distribution system for the project to the existing 12-inch diameter water line along E. Rivera Avenue.
 - r. The detailed water study shall identify all the improvements required to provide adequate water pressure and redundancy to the subject subdivision. The Developer will be responsible to built all the required improvements. Once the proposed water line along Bowker Road is built, the developer will be responsible to fund and/or built the connections to the proposed 30-inch diameter water line.

Community Facility District (CFD)-Prior Recordation of any Final Map.

85. A cost participation for the regional infrastructure program (i.e. the East Callexico Facilities Area II Improvement) will be required. This program is being addressed by the City's consultant on the current City's development that will included but not limited to: off-site streets, bridges at La Vigne Road and Bowker Road at the All American Canal, sewer distribution line and lift station, water, regional retention basins, and storm drain systems, etc. Developer shall participate and pay the fair share cost contribution.
86. A maintenance and operation CFD of the Sub-Regional Retention Basin for drainage will also be required.

Fees

87. Pay all applicable fees (i.e. City's Standard Impact Fees, Special Infrastructure Fees, Benefit Assessment Fees, Plan Check and Inspection Fees, etc.) prior to recordation of any final maps, pulling of permits, and/or certificate of occupancy as per the City's standard and conditions in accordance with the MMRP. In the case of the Bowker Road and Hwy 98 improvement per Caltrans conditions and requirement for Phase 2 (Ultimate Widen Improvement), the Developer shall deposit into the City in accordance with the MMP for the necessary funds as determined by the Director of Planning and Development Services for the development of the Memorandum Of Understanding (MOU), Project Study Report (PSR), and Design

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and Administration fees) prior to approval of any final map for recordation and/or approval of any in-tract improvement plans.

Other Pertinent Conditions

88. The Bowker Road/Hwy 98 proposed signalized intersection is a capital improvement project pursuant to the City of Calexico street infrastructure plan. The developer shall agree to fund all the Phase 1 improvement and participate in the construction and pay a "fair share" basis (no greater than 5.03%) of the ultimate widening plan.
89. Notwithstanding anything else in these conditions, if any improvements (including without limitation in relation to streets, water, sewer, or any other facilities or utilities) required to be constructed or paid for by the project are in excess of the fair share portion of such improvements for which the project is responsible, as identified in these Conditions of Approval, the project mitigation monitoring program of the CEQA document or otherwise, the project shall be eligible for reimbursement of the costs of such excess and the developer shall only be required to construct and install improvements as proposed contingent upon the City's agreement to enter into a re-imbursement agreement for funding in excess of fair share participation. Further, with respect to any payments for which the developer may post security under these Conditions of Approval, the project mitigation monitoring program of the CEQA document or otherwise, the developer may make the payments to replace such security at the time of the issuance of building permits for any dwelling unit or other structure, on a pro rata basis.
90. The developer agrees to participate on a "fair share" basis for the construction of widening and signalization improvements for Jade Avenue/SR 98 when warranted by Caltrans in the future development of the commercial parcel which will be based on ADT trips in accordance with the MMP.
91. The applicant/developer will be responsible for widening of SR-98 to four lanes and additional channelization within the boundaries of the proposed project subdivision area. The Caltrans Transportation Concept Report (TCR) for SR-98 calls for an ultimate 6 lane conventional highway and widening for a total width of 172' (86' half-width) in this area. The ultimate configuration would require some Right of Way (R/W) acquisition along the frontage of this property (to be determined based upon existing State R/W in the vicinity).
92. Upon annexation, the applicant/developer shall obtain from the City of Calexico an Irrevocable Offer of Dedication (IOD) and slope rights/drainage easement in order to accomplish preserving this R/W referred in conditions No. 91 above.

93. No development improvements, including landscaping and other easements shall be located within the R/W IOD referred in conditions No. 91 above.
94. Any work performed within Caltrans R/W will require an encroachment permit referred in conditions No. 91 above.
95. The developer shall be responsible for procuring any necessary permits or approvals from regulatory and/or resource agencies.
96. Provide utilities, conduits, and other telecommunications facilities (i.e. cable, fiber optic, etc.) from point "A" to any such facility as determined and approved by the Imperial Valley Telecommunications Authority Manager and to the satisfaction of the Director of Development Services/City Engineer.
97. Comply with City's Design Procedures and Improvement Standards as updated on December 1, 2005 Design Manual and any subsequent modifications thereon.

SECTION 4: CONDITIONS FOR RECORDATION OF FINAL MAP

98. Final map shall not be approved until developer and city have entered into an agreement, which provides for traffic facilities, emergency services, water and sewer services, and area drainage, and other services specified as needed.
99. Approval is given subject to compliance of final map and improvement drawings with all applicable zoning and subdivision ordinance of the City of Calexico.
100. The necessary improvements as set forth in the approval of the tentative tract/parcel map have been installed and accepted by the city, or provided the subdivider submits satisfactory improvement plans together with the necessary guarantee that the improvements shall be installed.
101. Guarantee for installation of improvements shown on recorded final map shall be by surety bond or letter of credit. Use of real property lien, as guarantee for installation of improvements shown on recorded final map shall be in accordance of city policy and procedure.
102. The required plan and map checking and inspection fees must be paid to all affected divisions/departments/agencies.
103. Checking has been completed by the various departments and agencies.
104. Taxes, liens and special assessments have been paid or such payment is guaranteed.
105. All applicable conditions and compliance are met with the city standards updated December 1, 2005 and all subsequent modifications and revisions thereon.

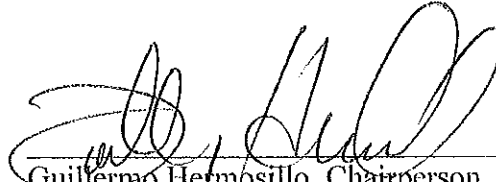
106. -

TABLE "A"

Fair Share Percentage Cost Distribution*Note: Percentage of cost derivation based on ADT from the surrounding development projects*

Area #	Description	Acreage	Type of Use	ADT	% of Total ADT
1b	Santa Fe Subdivision	225.13	per traffic study	18,528	7.67%
1c	Area Bounded by Jasper, Bowker, Cole and Meloland	480	Assume 10% Commercial, 60% Residential (25 units/acre), 30% Single-Family Residential (6 units/acre)	67,309	27.87%
1f	Area Bounded by Bowker & Central Main Canal	28.66	Industrial	1,809	0.75%
1g	Area Bounded by Bowker & Hwy 98	18.49	Industrial	1,167	0.48%
1h	Area Bounded by Hwy 98, Central Main Canal & All American Canal	36.75	Industrial	2,319	0.96
1i	Venezia Subdivision	76.58	per traffic study	12,140	5.03%
1j	Tierrasanta Unit 2 (Commercial)	12.90	per traffic study	7,248	3.00%
1k	Tierrasanta South	16.70	Assume Multi-Family Residential (25 units per acre)	4,000	1.66%
1m	CM Ranch Subdivision IIA	346.60	Assume 10% Commercial, 20% Multi-Family Residential (25 units/acre), 70% Single-Family Residential (6 units/acre)	52,352	21.68%
1n	CM Ranch Subdivision IIB	193.20	Assume 20% Residential (25 units/acre) 80% Residential (6 units/acre)	18,120	7.50%
1l	CM Ranch Subdivision	702.00	per traffic study	56,538	23.40%
Total Acreage		2,718.01	Total Daily Project Trips	241,522	100.00%

NOW, THEREFORE, based on the above findings, the Planning Commission of the City of Calexico DOES HEREBY RECOMMEND that the City Council of the City of Calexico approve Amended Venezia Tentative Subdivision Map.


Guillermo Hermosillo, Chairperson
Calexico Planning Commission

I hereby certify that the preceding resolution was adopted by the Planning Commission at a meeting conducted on September 22, 2008 by the following vote:

AYES: Hargrave, Martinez, Hermosillo, Selwick, Rodriguez.

NOES:

ABSENT:

ABSTAIN:

ATTEST:



Armando G. Villa, Development Services Director
Secretary to the Planning Commission

RESOLUTION NO. 2008-15

**A RESOLUTION OF THE PLANING COMMISSION OF
THE CITY OF CALEXICO, CALIFORNIA,
RECOMMENDING TO THE CITY COUNCIL OF THE
CITY OF CALEXICO CERTIFICATION OF SUPPLEMENT
TO THE MITIGATED NEGATIVE DECLARATION FOR
VENEZIA SUBDIVISION AMENDMENT UA NO. 2003-73**

WHEREAS, Westmount Properties, has submitted an application for the Venezia Tentative Subdivision Map Amendment. The approximate 78.31 acre site is located outside the City's eastern city limit boundary south of the All American Canal and east of Highway 98; and

WHEREAS, the request for amendment applies to the amendment of certain Conditions of Approval and Mitigation Measures contained in the Mitigation Monitoring Program for Supplement to the Mitigated Negative Declaration for the Venezia Subdivision which relates to traffic and circulation issues.

WHEREAS, Supplement to Mitigated Negative Declaration No. 2003-73 has been prepared to evaluate environmental impacts resulting with the project amendment; and

WHEREAS, public notice of said application has been given; and the Planning Commission has considered evidence presented by the Development Services Department and other interested parties at a public hearing held with respect to this item on September 22, 2008.

WHEREAS, on the 22nd day of September, 2008 the Planning Commission held a duly advertised public hearing and after public comment, recommended approval of the Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73; and

NOW THEREFORE, the Planning Commission of the City of Calexico DOES HEREBY RESOLVE as follows:

SECTION 1. The Planning Commission has considered the proposed Supplement to Mitigated Negative Declaration for the Venezia Subdivision, prior to making a decision. The Planning Commission finds and determines that Supplement to the Mitigated Negative Declaration the Venezia Subdivision is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects of the project, based upon the following findings and determinations:

SECTION 2. That in accordance with State Planning and Zoning Law, the California Environmental Quality Act (CEQA), and the City of Calexico the following findings for the approval of the Supplement to the Mitigated Negative Declaration have been made as follows:

1. Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review

would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and

The applicant has made revisions to the project or has agreed to specific conditions which would avoid the effects or mitigate the effects of the project to a point where no significant effects would occur.

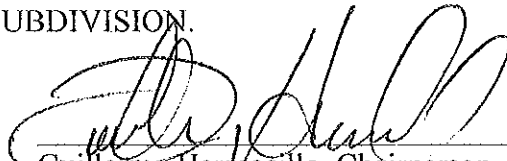
2. There is no substantial evidence, in the light of the whole record before the agency, that the project as revised may have significant effect on the environment.

Pursuant to the evidence received in the light of the whole record presented to staff the project will not have a significant effect on the environment considering the applicable Conditions of Approval and Mitigation Monitoring Program.

3. Mitigation measures have been required to ensure all potentially significant impacts are reduced to levels of insignificance.

Mitigation measures have been required which will reduce significant environmental impacts to the level of insignificance.

NOW, THEREFORE, based on the above findings, the Planning Commission of the City of Calexico DOES HEREBY APPROVE SUPPLEMENT TO THE MITIGATED NEGATIVE DECLARATION FOR THE VENEZIA SUBDIVISION.


Guillermo Hermosillo, Chairperson
Calexico Planning Commission

I hereby certify that the preceding resolution was adopted by the Planning Commission at a meeting conducted on September 22, 2008 by the following vote:

AYES: Hargrave, Martinez, Hermosillo, Selwick, Rodriguez

NOES:

ABSENT:

ABSTAIN:

ATTEST:



Armando G. Villa, Development Services Director
Secretary to the Planning Commission



PLANNING COMMISSION STAFF REPORT

DATE: Monday, September 22, 2008

TO: Chairman and Members of the Planning Commission

FROM: Armando G. Villa, Director of Planning & Development Services *Agph*

PROJECT TITLE: Amendment to Uniform Application No. 2003-73 for *Venezia Tentative Subdivision Map, Continued from July 24, 2008*

APPLICANT: Westmount Properties, 77682 Country Club Drive, Ste. A3, Palm Desert, CA 92211

PROJECT REQUESTS

- Supplement to the Mitigated Negative Declaration (SMND) for the Venezia Subdivision Amendment: the City of Calexico prepared the SMND in accordance with provisions contained in the California Environmental Quality Act (CEQA), Section 15162 and 15164 CEQA Guidelines (Section 15000 et seq.);
- Venezia Tentative Subdivision Map Amendment: The Amendment to Tentative Subdivision Map (TSM) results from the amendment of certain Conditions of Approval and Mitigation Measures as originally approved dealing with circulation and roadway alignment. The TSM Amendment is prepared in accordance with provisions and requirements of the California Subdivision Map Act, and Chapter 16 "Subdivisions" and Chapter 17 "Zoning" of the Calexico Municipal Code.

BACKGROUND

This project was originally scheduled for Planning Commission consideration on July 28, 2008 and on August 25, 2008. On both occasions, the applicant requested continuation pending discussion with staff over clarification of proposed conditions of approval. The Planning Commission granted continuation to September 22, 2008. Staff has had several meetings in which several proposed Conditions of Approval have been modified and clarified. The applicant has agreed to proceed as conditions are proposed.

The original Venezia project and requested discretionary applications were submitted to the City on April 2004. A revised plan was later submitted in January 2005. In January 2005, an Initial

PLANNING COMMISSION STAFF REPORT

SEPTEMBER 22, 2008

PAGE 2 of 5

PROJECT TITLE: AMENDMENT TO UNIFORM APPLICATION NO. 2003-73
VENEZIA SUBDIVISION"

Study was prepared and determined that the project qualified for preparation of a Mitigated Negative Declaration. Consideration to approve the Final MND was continued over an extended period to further evaluate and provide appropriate mitigation for the following impacts: street access, school impacts, water/sewer capacity and service, and consistency with surrounding anticipated development. In February 2006, the Planning Commission recommended approval to the City Council of the Venezia project and the requested discretionary applications.

The Venezia project was subsequently approved by the City Council on March 21, 2006. The overall project entailed several discretionary applications which included the approval of: 1) Annexation; 2) General Plan Amendment; 3) Pre-Zoning/Zone Change; 4) Tentative Subdivision Map; and 5) Certification of Mitigated Negative Declaration. All the above proceedings were completed in August 2007 with the official annexation of the project into the corporate boundaries of the City of Calexico.

PROJECT LOCATION AND SETTING

The Venezia development site is currently vacant and is located on the eastern boundaries of the city along Hwy 98 and Bowker Road. It is currently being used for agricultural purposes pending resolution project and development issues. The site is bounded on the north by the All-American Canal, on the west by State Hwy 98, and on the south by agriculture land.

ENVIRONMENTAL SETTING

	EXISTING LAND USE	ZONING	GENERAL PLAN
Project Site	<i>Vacant/ Agriculture</i>	<i>R-1 Single Family Residential C-H Commercial Highway</i>	MDR- Medium Density Residential; <i>Commercial Highway</i>
North	<i>Vacant</i>	<i>City -Industrial</i>	Industrial
South	<i>Vacant/Agriculture</i>	<i>Imperial County A2U</i>	<i>Imperial County A2U</i>
East	<i>Vacant/Agriculture</i>	<i>Imperial County A2U</i>	<i>Imperial County A2U</i>
West	<i>Vacant</i>	<i>City – R-1 Single Family Residential</i>	MDR-Medium Density Residential

DESCRIPTION OF PROPOSED PROJECT AND REQUESTED APPLICATIONS

Supplement to the Mitigate Negative Declaration

This document is a Supplement to the 2005 document entitled, "Mitigated Negative Declaration Venezia, Annexation, General Plan Amendment, Zone Change, and Tentative Subdivision Map",

PLANNING COMMISSION STAFF REPORT

SEPTEMBER 22, 2008

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PROJECT TITLE: AMENDMENT TO UNIFORM APPLICATION NO. 2003-73
 "VENEZIA SUBDIVISION"

that was prepared by Development Design and Engineering (under the supervision of the City of Calexico) and which was approved by the City of Calexico in 2006 for the Venezia Subdivision project, and its applications for Annexation, General Plan Amendment, Zone Change, and Tentative Subdivision Map approval. In 2005, another applicant, CM Ranch proposed another residential development near the Venezia project site. The 2005 Mitigated Negative Declaration (MND) environmentally cleared and evaluated the Venezia project based on the proposed development of the CM Ranch project. In February 2008, the City of Calexico City Council adopted Ordinance No. 1067 which officially revoked all approvals of the CM Ranch project and its required roadway improvements. This Supplemental MND addresses and evaluates those changes to the 2005 MND that have resulted due to the revocation of City approvals of the CM Ranch project.

Tentative Subdivision Map

The requested amendment does not seek to amend the approved conceptual design of the map. The original map approval continues to exhibit the following characteristics:

- 249 single-family residential lots;
- Park facilities and retention basin;
- Park/Open Space;
- Detention Basin;
- Commercial.

When the Venezia Subdivision was originally approved by the City in 2006, the project was conditioned and required to provide specific offsite roadway improvements that were predicated upon other roadway improvements to be constructed by the adjacent CM Ranch. Since CM Ranch's project approvals have been revoked, its roadway improvements will not be constructed. Accordingly, Venezia's plans for development and roadway improvements now require revision and "readjustment". Those revised Venezia plans and roadway improvements are proposed in response to the revocation of CM Ranch's project approvals and its required roadway improvements.

As stated above, the applicant is not proposing any changes to its land use plan and conceptual map design for the Venezia project. The project's roadway improvements are being readjusted in response to the revocation of CM Ranch's project approvals and its required roadway improvements. Accordingly, those conditions of approval and mitigation measures that were approved with the Venezia project in 2006 must now be revised similarly with those readjusted roadway improvements that must now be provided with the Venezia project. These revised conditions of approval and mitigation measures will require review and approval by the City's Planning Commission and City Council.

For this reason, the City has deemed necessary to amend the original MND by the preparation of a Supplement MND to provide the necessary environmental clearance for the readjusted roadway improvements. In addition, Caltrans is a responsible agency to the MND, since roadway

PLANNING COMMISSION STAFF REPORT

SEPTEMBER 22, 2008

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PROJECT TITLE: AMENDMENT TO UNIFORM APPLICATION NO. 2003-73
 VENEZIA SUBDIVISION"

improvements to SR-98 are required to accommodate the Venezia project; future issuance of an Encroachment Permit will be required by Caltrans.

The following describes the readjusted roadway improvements which are being proposed in two phases:

Phase 1 – Interim Condition

These improvements will be provided at the intersection of SR-98 and Bowker Road, within the existing canal undercrossing and will correct the existing non-standard intersection geometry. Presently, Bowker Road intersects SR-98 at approximately 45 degrees. Bowker Road will be re-aligned within the vicinity of this intersection to reduce the exiting skew angle to the minimum value allowed in the Highway Design Manual, which is 75 degrees. By re-aligning Bowker Road, adequate sight distance from the intersection will also be maintained. SR-98 and Bowker Road will be improved to the following:

SR-98: Total 100-foot existing right-of-way width, with two 12-foot through lanes, a 12-foot left-turn lane, and two eight-foot shoulders. SR-98 will be widened west of Bowker Road for a width of 12 feet to provide a right-turn lane for eastbound traffic approaching Bowker Road. The project will be responsible for providing ultimate half-width right-of-way on SR-98 along the project's frontage in accordance with Caltrans requirements.

Bowker Road: Total 60-foot right-of-way, with two 12-foot through lanes, a 12-foot left-turn lane, two eight-foot shoulders, and two four-foot sidewalks. The project will be responsible for providing ultimate right-of-way on Bowker Road (both sides) along the project frontage. With the ultimate re-aligned curvature, the total right-of-way will be 126 feet.

Phase 2 – Ultimate Condition

Development of Phase 2 will require the City of Calexico and Caltrans to enter into an agreement or memorandum of understanding for the construction and widening of the SR-98 at Bowker Road intersection and/or construction of the SR-98 at Jade Avenue intersection.

ANALYSIS

In summary, when the Venezia project was originally approved, the city anticipated the annexation and development of the CM Ranch and therefore a collective effort to improve various surrounding roadways for improved circulation. With the revocation of the CM Ranch, it has become necessary to change the requirements that have been imposed on the Venezia Subdivision by revising certain Conditions of Approval and Mitigation Measures dealing with the construction of the Jade/Hwy 98 intersection. This intersection is located within the CM Ranch project and with the project being revoked, Venezia can not depend on this intersection for access. Instead, city staff and the applicant have developed alternative circulation solutions

PLANNING COMMISSION STAFF REPORT

SEPTEMBER 22, 2008

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**PROJECT TITLE: AMENDMENT TO UNIFORM APPLICATION NO. 2003-73
VENEZIA SUBDIVISION"**

which require the improvement of the Bowker/Hwy 98 intersection. This change has triggered the amendment of various technical studies such as traffic and biology to address using the Bowker/Hwy 98 intersection as the primary access point to the Venezia Subdivision. The Supplement to the MND addresses environmental implications resulting from the above changes.

Additionally, since the original approval of the Venezia Subdivision, staff has developed and implemented various new policies which have been drafted and are presented in the form of additional Conditions of Approval. These new conditions have assisted city staff and the applicant better identify future and present requirements based the Zoning and Municipal Code requirements. These new conditions have been implemented with past approved subdivisions over the last year.

RECOMMENDATIONS

It is recommended that the Planning Commission adopt: Resolution No. 2008-__ recommending to the City Council certification of the Supplement to te Mitigated Negative Declaration for the Venezia Subdivision and Resolution No. 2008-__ recommending to the City Council approval of the Tentative Subdivision Map Amendment (Conditions of Approval) for the Venezia Subdivision based on the Findings, Attachments, Exhibits, Revised Conditions of Approval, and Mitigation Measures.

PREPARED BY: 

ARMANDO G. VILLA, DIRECTOR OF DEVELOPMENT SERVICES

Note:

New Conditions of Approval will be *italicized*

Revised Conditions of Approval will be Underlined

Revised Conditions of Approval as a result of continuation will be ^{superscript(ed)} underlined

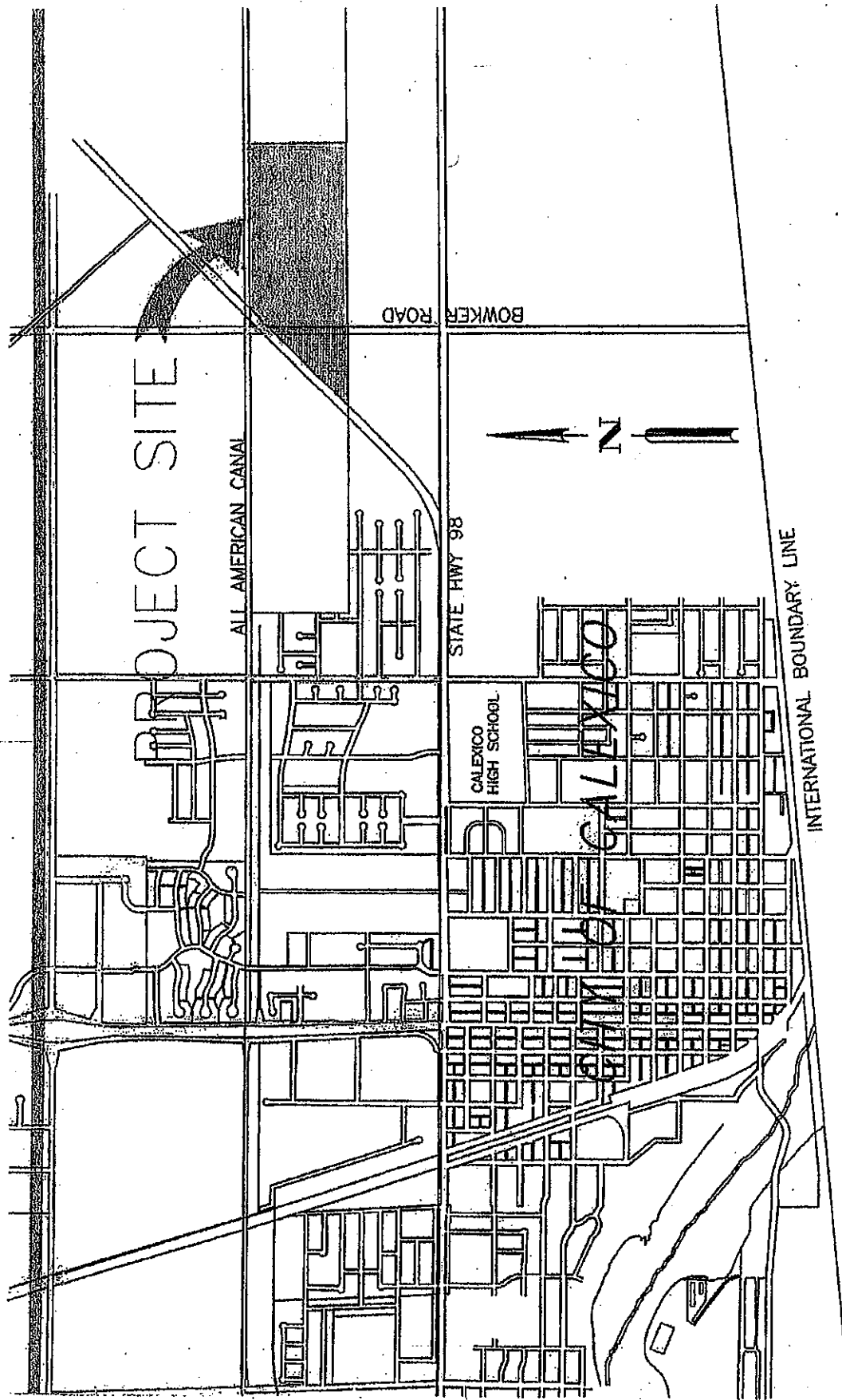
ATTACHMENTS

**ORIGINALLY APPROVED VENEZIA TENTATIVE SUBDIVISION MAP
PLANNING COMMISSION RESOLUTIONS**

RESPONSE TO COMMENTS TO THE SUPPLEMENTAL MND

REVISE MITIGATION MONITORING PROGRAM

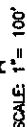
NOTICE OF PREPARATIONA AND DRAFT SUPPLEMENTAL MND



Source: DD & E

FIGURE 1
VICINITY MAP
REVISED ROADWAY IMPROVEMENTS FOR VENEZLA
ATTACHMENT 1

IN THE CITY OF CALEXICO, COUNTY OF IMPERIAL, STATE OF CALIFORNIA



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JOHN HONER

THESE THREE PLACES AT CENTER LINE OF
THE REGION OF ALL AMERICAN COUNTRIES.

DATE - TIME - ID NO.

DEVELOPMENT DESIGN & ENGINEERING, INC.

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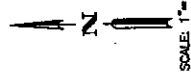
TENTATIVE TRACT MAP

VENEZIA ESTATES

PROPOSED ALI. 1	DATE
DALEDO, CALIFORNIA	

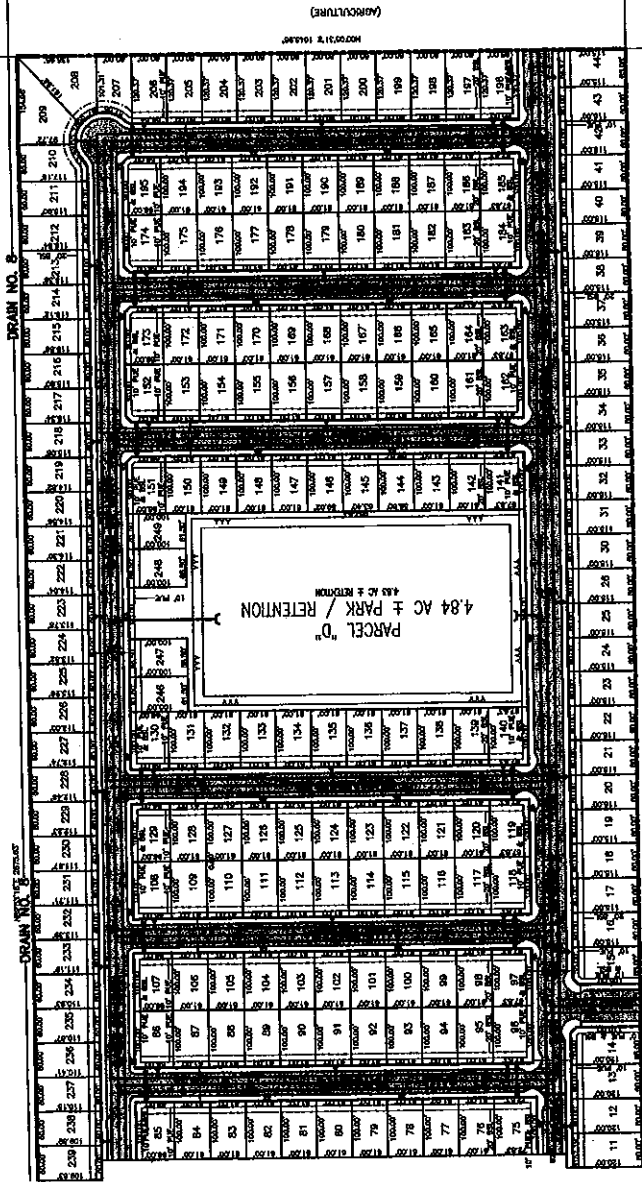
VENEZIA ESTATES SUBDIVISION TENTATIVE TRACT MAP

IN THE CITY OF CALEXICO, COUNTY OF IMPERIAL, STATE OF CALIFORNIA



SEE SHEET 2

ALL AMERICAN CANAL ALL AMERICAN CANAL



T A 3 3

BENCH MARK U.S.A. MOUNTAIN VIEW ESTATES, LOT 17 A CORNER OF THE TRACT ELEVATION = 1071.15 - 40 DOTS		PREPARED BY JAMES J. JENSEN & ASSOCIATES, INC. 1000 N. 10TH STREET CALEXICO, CALIFORNIA 92510 TEL. (760) 335-4400	TENTATIVE TRACT MAP 3 VENEZIA ESTATES PREPARED BY JAMES J. JENSEN & ASSOCIATES, INC. CALEXICO, CALIFORNIA 92510 WESTSHORE DEVELOPMENT CORPORATION
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ATTACHMENT 2

RESOLUTION NO. 2008-____

A RESOLUTION OF THE PLANING COMMISSION OF THE CITY OF CALEXICO, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF CALEXICO CERTIFICATION OF SUPPLEMENT TO THE MITIGATED NEGATIVE DECLARATION FOR VENEZIA SUBDIVISION AMENDMENT UA NO. 2003-73

WHEREAS, Westmount Properties, has submitted an application for the Venezia Tentative Subdivision Map Amendment. The approximate 78.31 acre site is located outside the City's eastern city limit boundary south of the All American Canal and east of Highway 98; and

WHEREAS, the request for amendment applies to the amendment of certain Conditions of Approval and Mitigation Measures contained in the Mitigation Monitoring Program for Supplement to the Mitigated Negative Declaration for the Venezia Subdivision which relates to traffic and circulation issues.

WHEREAS, Supplement to Mitigated Negative Declaration No. 2003-73 has been prepared to evaluate environmental impacts resulting with the project amendment; and

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Development Services Department and other interested parties at a public hearing held with respect to this item on September 22, 2008.

WHEREAS, on the 22nd day of September, 2008 the Planning Commission held a duly advertised public hearing and after public comment, recommended approval of the Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73; and

NOW THEREFORE, the Planning Commission of the City of Calexico DOES HEREBY RESOLVE as follows:

SECTION 1. The Planning Commission has considered the proposed Supplement to Mitigated Negative Declaration for the Venezia Subdivision, prior to making a decision. The Planning Commission finds and determines that Supplement to the Mitigated Negative Declaration the Venezia Subdivision is adequate and prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) which analyzes environmental effects of the project, based upon the following findings and determinations:

SECTION 2. That in accordance with State Planning and Zoning Law, the California Environmental Quality Act (CEQA), and the City of Calexico the following findings for the approval of the Supplement to the Mitigated Negative Declaration have been made as follows:

1. Revisions in the project plans or proposals made by or agreed to by the applicant before a proposed mitigated negative declaration and initial study are released for public review

RESOLUTION NO. 2008-
SUPPLEMENT TO MITIGATED NEGATIVE DECLARATION FOR
THE VENEZIA SUBDIVISION
Page 2 of 2

would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur; and

The applicant has made revisions to the project or has agreed to specific conditions which would avoid the effects or mitigate the effects of the project to a point where no significant effects would occur.

2. There is no substantial evidence, in the light of the whole record before the agency, that the project as revised may have significant effect on the environment.

Pursuant to the evidence received in the light of the whole record presented to staff the project will not have a significant effect on the environment considering the applicable Conditions of Approval and Mitigation Monitoring Program.

3. Mitigation measures have been required to ensure all potentially significant impacts are reduced to levels of insignificance.

Mitigation measures have been required which will reduce significant environmental impacts to the level of insignificance.

NOW, THEREFORE, based on the above findings, the Planning Commission of the City of Calexico DOES HEREBY APPROVE SUPPLEMENT TO THE MITIGATED NEGATIVE DECLARATION FOR THE VENEZIA SUBDIVISION.

Chairman
Calexico Planning Commission

I hereby certify that the preceding resolution was adopted by the Planning Commission at a meeting conducted on September 22, 2008 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

ATTEST:

Armando G. Villa, Development Services Director
Secretary to the Planning Commission

RESOLUTION NO. 2008-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CALEXICO, CALIFORNIA, RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF CALEXICO APPROVAL OF THE TENTATIVE SUBDIVISION MAP AMENDMENT WHICH AMENDS CERTAIN CONDITIONS OF APPROVAL AND MITIGATION MEASURES RELATED TO TRAFFIC & CIRCULATION AND TO ALLOW FOR THE DEVELOPMENT OF 249 RESIDENTIAL UNITS, 2 OPEN SPACE UNITS, AND 1 COMMERCIAL HIGHWAY UNIT FOR VENEZIA SUBDIVISION - UA NO. 2003-73

WHEREAS, Westmount Properties, has submitted an application for the Venezia Tentative Subdivision Map Amendment. The approximate 78.31 acre site is located outside the City's eastern city limit boundary south of the All American Canal and east of Highway 98; and

WHEREAS, the request for amendment applies to the amendment of certain Conditions of Approval and Mitigation Measures contained in the Mitigation Monitoring Program which relates to traffic and circulation issues. As a result of this request, additional conditions of approval will be triggered resulting from updated policies established to date. The original subdivision design concept will remain unchanged.

WHEREAS, the Planning Commission of the City of Calexico has been delegated with the responsibility of making recommendations to the City Council for approval of subdivision maps; and

WHEREAS, public notice of said application has been given, and the Planning Commission has considered evidence presented by the Development Services Department and other interested parties at a public hearing held with respect to this item on September 22, 2008.

WHEREAS, on the 22nd day of September, 2008 the Planning Commission held a duly advertised public hearing and after public comment, recommended approval of the Tentative Subdivision Map Amendment for Venezia Subdivision, UA No.2003-73; and

WHEREAS, the Planning Commission of the City of Calexico finds that the Tentative Subdivision Map Amendment is consistent with the objectives of the development policies of the City of Calexico, and

NOW THEREFORE, the Planning Commission of the City of Calexico DOES HEREBY make the following findings as supported by the maps, exhibits and

RESOLUTION NO. 2008-____
VENEZIA TENTATIVE SUBDIVISION MAP AMENDMENT
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documentation of said tentative map amendment all of which are herein incorporated by reference.

SECTION 1. That in accordance with State California Subdivision Map Act and requirements of the City of Calexico the following Findings for the approval of Tentative Subdivision Map Amendment No. 2003-73 have been made as follows:

1. The proposed subdivision, together with the provisions for the design and improvement, are consistent with the General Plan; Zoning Code; Title 16 of the Municipal Code relating to Subdivisions; and the State Subdivision Map Act.

The design of the project and subdivision are consistent with the General Plan and Zoning designations. The project is consistent with the designated land use planning area, development and design standards, and all other appropriate requirements contained in the General Plan, Calexico Municipal and Zoning Codes, and Subdivision Map Act.

2. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan (Government Code Section 66473.5).

The project is consistent with the land use plan, development and design standards and programs, and all other appropriate requirements contained in the General Plan. As discussed, the General Plan designates the project site as Commercial and Residential. The Tentative Subdivision Map is consistent with the City of Calexico General Plan and Zoning Code designations, and other applicable development and design standards.

3. The effects this proposed subdivision is likely to have upon the housing needs of the region, the public service requirements of its residents, and the available fiscal and environmental resources have been considered and balanced.

The project is consistent with the City's General Plan and Municipal and Zoning Codes, and will provide necessary public services and facilities, will pay all appropriate fees, and will not result in any adverse environmental impact, with the implementation of mitigation measures contained in the Supplemental to the Mitigated Negative Declaration for the Venezia Project.

4. The design of the subdivision provides to the greatest extent possible, for future passive or natural heating or cooling opportunities in the subdivision (Government Code Section 66412.3).

The project will comply with all appropriate conservation requirements of the City and Uniform Building Code.

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SECTION 2. Environmental Determination pursuant to the California Environmental Quality Act (CEQA). Via a separate resolution, a Final Supplemental Mitigated Negative Declaration has been prepared and approved by Calexico Planning Commission in accordance with the City of Calexico adopted guidelines to implement CEQA.

SECTION 3.

CONDITIONS OF TENTATIVE SUBDIVISION MAP AMENDMENT APPROVAL

WHEREAS, the Planning Commission of the City of Calexico approves tentative subdivision map amendment, attached hereto as Exhibit A, subject to the following conditions of approval:

The following conditions shall be complied with before a final map ^(or as otherwise stated in the condition or MMRP) is approved by the City Council and filed with the County Recorder of Imperial County (and, where specifically indicated, shall also be complied with prior to issuance of grading or other permits as specified)

PLANNING DIVISION CONDITIONS

GENERAL CONDITION

1. *The applicant shall defend (with counsel acceptable to the City), indemnify, and hold harmless the City, its Official, Officers, Employees, Consultants and Agents from any claim, action, or proceeding against the City, its Official, Officers, Employees, Consultants or Agents to attach, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning the Venezia project, which action is brought within the time period provided for in California Government Code Sections 65009 and/or 66499.37, and Public Resources Code Section 21167. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and will cooperate fully with the defense. If the City fails to promptly notify the Applicant of any such claim, or proceeding, the Applicant shall not, thereafter, be responsible to defend, indemnify, or hold harmless the City.*
2. *The Tentative Subdivision Map shall expire two (2) years from date of approval unless within that period of time the applicant/developer submits all appropriate documentation for a Final Map which shall include CC&R's and appropriate instruments have been filed and recorded with the County Recorder, or an extension of time is granted by the City of Calexico City Council in accordance with the Subdivision Map Act.*
3. *The Tentative Subdivision Map shall comply with the State of California Subdivision Map Act and shall comply with all applicable requirements of the Calexico Municipal*

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Code, Title 16 unless modified by approved Conditions of Approval.

4. *Prior to final certificate of occupancy of Tentative Subdivision Map, the ~~project~~ improvements specified herein and approved by the Planning Commission and the City Council shall be installed, or agreements for said ~~project~~ improvements, shall be submitted to the City for approval by the City Engineer, and all other stated conditions shall be complied with. All uncompleted improvements must be bonded for as part of the agreements.*
5. *Prior to the first certificate of occupancy the applicant shall prepare and record CC&R's. The CC&R's shall be reviewed and approved by the Development Services Director or Designee and the City Attorney. To the extent legally permissible, the CC&R's shall include methods of maintaining common areas, open space lots, landscaped areas including parkways, and methods for common maintenance of all underground, and above ground utility infrastructure improvements necessary to support the complex. Condition 5 - 7 shall not apply to accepted improvements by city for public maintenance.*
6. *No unit in the development shall be sold unless (one or more in combination of) a corporation, ~~homeowner's~~ association, property owner's group, Community Facilities District, Benefit Area District, or other similar financing mechanism/entity has been formed with the right to financially assess all properties individually owned or jointly owned which have any rights or interest in the use of common facilities in the development, such assessment power to be sufficient to meet the expenses of such entity/^{ies}, and with authority to control, and duty to maintain, all said mutually available features of the development. To the extent legally permissible, such entity/^{ies} shall operate under recorded CC&R's which shall include compulsory membership of all owners of lots and/or dwelling units and flexibility of assessments to meet changing costs of maintenance, repairs, and services. Recorded CC&R's shall permit enforcement by the City for provisions required as Conditions of Approval. The applicant shall submit evidence of compliance with this requirement to, and receive approval of, the City prior to making any such sale. ~~This condition shall not apply to land dedicated to the City for public purposes.~~ Membership in the Home Owner's Association, corporation, association, ~~and~~ property owner's group, Community Facilities District, Benefit Area District, ~~and~~ or other similar financing mechanism/entity shall be mandatory for each buyer and any successive buyer in that HOA or a Community Facilities District, Benefit Area District, or other similar financing mechanism/entity shall be established as a method of maintaining common areas, parking and drive aisles areas, landscaped areas including parkways, retention basins, parks, and street lighting. Right of way parkway includes all adjacent areas to Bowker, Hwy 98 and primary streets.*
7. ~~All open space, landscaping, and parkway areas shall be maintained by the Home Owner's Association or a Community Facilities District, Benefit Area District, or other similar financing mechanism.~~
8. *Vehicle access to the proposed lots shall only be allowed in the front of the lot as*

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approved in the Tentative Subdivision Map. No rear or side entry access is permitted.

9. *In the event the ~~corporation, homeowner's association, property owner's group, Community Facilities District, Benefit Area District, or other similar financing mechanism/entity~~ fail to maintain said common area in such a manner as to cause same to constitute a public nuisance, said City may, upon proper notice and hearing, institute summary abatement procedures and impose a lien for the costs of such abatement upon said common area, individual units or whole thereof as provided by law.*
10. *The applicant shall comply with those mitigation measures identified in the Mitigation Monitoring Program adopted with the Supplement to the Mitigated Negative Declaration for the Venezia Subdivision and all applicable requirements of the Calexico Municipal Code; Title 17 unless modified by approved Conditions of Approval.*
11. *~~The project shall comply with the all applicable requirements of the Calexico Municipal Code; Title 17 unless modified by approved Conditions of Approval.~~*
12. *The applicant shall at all times comply with Noise Control Ordinance of the Calexico Municipal Code.*
13. *Any new Residential & Commercial development and associated requirements including any proposed Parks and Open Space lots shall be subject to the Design and Development Review procedures and the City of Calexico Residential Design Guidelines.*
14. *A decorative block wall shall be constructed along the project's primary access routes such as Bowker and where primarily visible from major streets. ~~perimeter,~~ subject to the review and approval of the Director of Development Services or designee.*

PRIOR TO BUILDING/GRADING PERMITS

15. *Building Division Plan Check. All Conditions of Approval ~~for as otherwise stated in the condition or MMRP~~ shall be met prior to the issuance of a Certificate of Occupancy and release of utilities.*
16. *All site improvements approved with this request shall be constructed as indicated on the approved site plan and elevations. Revisions to approved site plans shall be subject to the review of the Development Services Director. All plans submitted for Building Division Plan Check shall conform to the submitted plans as modified by Conditions of Approval, or the Planning Commission/City Council through subsequent action.*

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17. All exterior on-site lighting shall be shielded and directed on-site so as not to create glare onto neighboring property and streets or allow illumination above the horizontal plane of the fixture. All light fixtures shall match the architectural style of the building.
18. The Planning Division shall approve the location of any construction trailers utilized during construction. All construction trailers shall require a temporary permit processed through the Planning Division.
19. Onsite surface drainage shall not cross sidewalks as to cause permanent water accumulation.
20. All Open Space lots, including detentions basins, shall be landscaped and irrigated. All exposed slopes in excess of three feet in height shall have a permanent irrigation system and erosion control vegetation installed, approved by the Planning Division.
21. Prior to issuance of any grading permit or building permits, the applicant shall sign and complete an "Acknowledgement of Conditions" form and shall return the executed original to the Planning Division for inclusion in the case records.
22. Prior to the commencement of grading operations, the applicant shall provide a map of all proposed haul routes to be used for movement of dirt material. Such routes shall be subject to the review and approval of the City Engineer. A bond may be required to pay for damages to the public right-of-way caused by the hauling related to the Venezia project, subject to the approval of the City Engineer.
23. A Final Landscaping/Irrigation Detail Plan shall be submitted, reviewed and approved by the Development Services Director or designee, prior to issuance of building permit. The following requirements shall only apply to portions of the Venezia project which is not residential. The residential portions shall be subject to Residential performance Standards in the Zoning Code.
 - a) All planting areas shall have permanent and automatic sprinkler system with 100% coverage of plant and grass ~~coverage~~ using a combination of drip and conventional irrigation methods.
 - b) Applicant shall plant street trees, a maximum of forty feet (40) apart and at least twenty-four-inch (24") box in size.
 - c) All planting areas shall be separated from paved areas with a six inch (6") high and six inch (6") wide concrete curb.
 - d) Planting within fifteen feet (15') of ingress/egress points shall be no higher than thirty-six inches (36").
 - e) Landscape planters shall be planted with an appropriate parking lot shade tree to provide for 50% parking lot shading in fifteen (15) years.

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- f) Any transformers and mechanical or electrical equipment shall be indicated on landscape plan and screened as part of the landscaping plan.*
 - g) All landscape improvements shall be HOA or a Community Facilities District, Benefit Area District, or other similar financing mechanism maintained from installation sign-off by the City.*
 - h) All landscaping and irrigation shall be installed within affected portion of any phase at the time a Certificate of Occupancy is requested for any building. All planting areas shall include plantings in the Xeriscape concept, drought tolerant grasses and plants.*
 - i) Final landscape plan must be consistent with approved site plan/landscape plan.*
 - j) ~~The project shall include a minimum of thirty five trees per gross acre. Twenty percent shall be twenty four inch box size or larger, seventy percent shall be fifteen gallon size and ten percent shall be five gallon size.~~ The project shall comply with the applicable Residential Performance Standards identified in the Calexico Zoning Code.*
 - k) Final landscape plans to include planting and irrigation details.*
- 24. Applicant shall comply with the requirements of the Imperial Irrigation District (IID). Proof shall be presented to the Chief Building Official prior to issuance of building permits and final approval.*
- 25. Prior to issuance of building permits, applicant shall provide assurance that all required fees to the Calexico Unified School District have been paid.*
- 26. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Fire Department have been met.*
- 27. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Police Department have been met.*
- 28. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Community Services and Recreation Department have been met.*
- 29. Prior to issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Utilities Services Department have been met.*

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30. *Prior to the issuance of building permits, applicant shall provide assurance that all requirements of the City of Calexico Finance Department have been met (i.e. Community Facilities District, Lighting and Landscape Maintenance District, etc.).*

PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

31. *The ~~Home Owner's Association~~ corporation, ~~homeowner's~~ association, property owner's group, Community Facilities District, Benefit Area District, or other similar financing mechanism/entity shall be established prior to the occupancy release of the first dwelling unit.*
32. *The proposed Park and Open Space lots shall be funded, constructed and fully completed, including all amenities, prior to the issuance of the one hundredth (100th) certificate of occupancy. A bond shall be required prior to the COO of the 1st unit.*

ENGINEERING DIVISION CONDITIONS

33. Improve or guarantee the necessary street improvements in conformance with the project corridor traffic study that will mitigate potential traffic impacts to include: all the specific conditions and the mitigation measures as specified herein and the mitigation monitoring program.
34. Improve or guarantee the improvement of the necessary water and sewer line extensions from the city of Calexico to service the proposed project at the expense of the developer based on the updated Service Area Plan to the satisfaction of the City Engineer.
35. Dedicate the necessary right-of-way and land to the appropriate jurisdictions (i.e., street, park dedication, etc.) as shown in the subdivision tentative map, to the satisfaction of the City Engineer/Director of Development Services.
36. Create a financing mechanism (assessment district, community facilities district and/or maintenance district, and/or other mechanism/entity) to support the ongoing maintenance of the parks, ~~schools~~, landscaping, lighting and regional drainage services, storm water retention system facilities, fire/police services.
37. Prior to submittal of any improvement plan for plan check, geotechnical study and soils report of the project site shall be conducted to the satisfaction of the City Engineer. An approved copy of the geotechnical study and soils report, in accordance with the subdivision map act, applicable codes, and city standards, shall be submitted with the improvement plans.
38. The developer shall submit and receive an NPDES permit from the regional water quality control board in accordance with a storm water pollution prevention plan approved by the city engineer. The storm water pollution prevention plan shall include best management practices (BMP's).

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39. A site specific drainage study in conformance with the sub-regional storm water retention system shall be conducted by a registered hydraulic engineer and submitted for review and approval by the city and IID. The drainage study may incorporate temporary retention basins; however, the design of the drainage system shall be in conformance with the City's sub-regional storm water retention system.
40. Any temporary relocation of private or IID canals and drainage ditches shall be approved by IID.
41. All retention facilities and drainage improvements shall be installed to the satisfaction of the City Engineer.
42. Temporary retention basin(s) shall be required to retain the residential and commercial runoff of the entire area (streets and lots) until a regional storm drain facility becomes available. The cost of the temporary retention basin shall be the responsibility of the developer. The temporary retention basin(s) shall be sized for a 100-year/24-hour storm and bonded for removal to the satisfaction of the City Engineer.
43. Prior to submittal of improvement plans, the applicant shall provide the following master plans, to the satisfaction of the City Engineer:
 - a. Water master plan (including domestic and fire flow analysis)
 - b. Sewer master plan (including sewer capacity flow and calculations)
 - c. Drainage master plan (including both hydrology and hydraulic calculations)
 - d. Street classification and traffic circulation master plan
 - e. Master Utilities plan as required by other jurisdictions.
44. All Master plans and improvements plans shall be in conformance with chapter III of the city standards entitled "City of Calxico Design Procedures and Improvement Standards" updated December 1, 2005 herein called city standards and any subsequent revisions and modifications and as specified in these conditions.
45. Fire hydrants shall be placed not more than 300 ft apart and nor more than 300 ft from buildings.
46. The developer shall participate in the project's pro-rated share of the costs for the improvement of the sub-regional storm water retention system, or at the discretion of the City of Calxico, be responsible for the improvement of the portion of the sub-regional storm water retention system needed to serve the entire drainage area. The sub-regional storm water retention system shall be in conformance with the drainage master plan and the City's most recent service area plan, and in accordance with city standards.

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STREET IMPROVEMENTS AND TRAFFIC CIRCULATION

47. Primary arterials, collectors, and local site access streets of applicable street right-of-way widths shall be dedicated.
48. Improve or guarantee the improvement of road improvements and participate in a fair share contribution, as per requirements of the tentative map amendment and the specific conditions. The road improvements and fees for primary arterials and collector streets shall be in accordance with the City of Calexico service area plan, benefit assessment areas, special infrastructure fee, and impact fee program to the satisfaction of the City Engineer.
49. Developer shall retain qualified California registered civil engineer for design services in accordance with the City Standards.
50. Improvement plans, record maps, traffic control plans, and intersection "stop" sign control plans for all interior streets shall be prepared to the satisfaction of the City Engineer.

BONDS AND SURETY

51. Prior to the submittal of bonds, the applicant/developer/design engineer shall submit construction cost estimate for all required improvements using City's provided unit cost items and standards for review and approval.
52. The developer shall submit and provide all required improvement bonds and surety to the satisfaction of the City Engineer.

IMPACT FEES AND FAIR SHARE ASSESSMENT FEES

53. The developer shall document and make payment of development impact fees for police services in accordance with the city council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
54. The developer shall document and make payment of development impact fees for fire protection services in accordance with the City Council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
55. The developer shall document and make payment of school impact fees for Calexico Unified School District, as determined by state law, to the satisfaction of the Calexico Unified School District.

56. The developer shall document and make payment of development impact fees for park facilities and services in accordance with the City Council adopted standards to the satisfaction of the Director of Development Services.
57. The developer shall document and make payment of development impact fees for library facilities and services in accordance with the City Council adopted standards and formulas that are in effect at the time to the satisfaction of the Director of Development Services.
58. The developer shall document make payment of development impact fees for sewer and water facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
59. The developer shall document make payment of development impact fees for transportation facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
60. The developer shall document make payment of development impact fees for public facilities and services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
61. The developer shall document make payment of development impact fees for administration services, in accordance with the City Council adopted standards and formulas that are in effect at the time, to the satisfaction of the Director of Development Services.
62. *The developer shall document and/or make payment of fees for Art in Public Places in accordance with the City Council adopted standards to the satisfaction of the Director of Development Services.*

FAIR SHARE FEES

63. The developer shall pay for all applicable fees. These fees shall included but not be limited to impact fees, special infrastructure fees, benefit area assessment fees, and engineering plan check and inspection fees as determined and conditioned therein.
64. In addition to the required development impact fees for streets, water, sewer, police, fire, library, school and utility improvements, the developer shall participate in ^{the} project's prorated fair share of the costs identified in the SPECIFIC CONDITIONS, Traffic Studies, and the Mitigation Monitoring Program of the CEQA document.

NOISE

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65. A detailed acoustical analysis shall be conducted for residential uses within the vicinity of CNEL 60 DB or higher noise conditions; for office and professional buildings and recreational commercial facilities within 65 DB or higher conditions; and all other land uses, except agriculture, within 70 DB or high noise conditions. The developer shall construct sound walls or berms along major thoroughfares or provide other noise attenuation in order to achieve the general plan interior and exterior noise standards.

UTILITIES

66. The developer shall coordinate with the IID regarding the location, financing, designing, and phasing of required on-site electrical facilities.
67. The developer shall pay fair share cost for the regional sewer lift station and the construction of a new force main and gravity lines that will be necessary to upgrade the sewer collection system.
68. The developer shall pay for the necessary upsizing of the sewer pipeline in order to connect into the existing sewer collection system.

SCHOOL

69. The project shall dedicate or pay a fee in-lieu of school site dedication in accordance with guidelines set by California Department of Education ^{and state law}. ~~Mitigation of school impact shall be documented by "Developer Agreement" executed by School District and Developer.~~

~~Note: Executed agreement shall be available prior to certification of resolutions for project approval.~~

SPECIFIC CONDITIONS

Street Circulation Element Conditions

70. Jade Ave, connection at Highway 98 south of the Tierra Santa Subdivision (the approved location of the Tierrasanta Unit 1 at the north side) shall not be made and required at this time, but shall dedicate the required ^{Jade Ave} rights of way (R/W) as per the updated traffic study entitled "Traffic Study For Venezia Mixed Use Development In the Calexico Area of Imperial County" by Bill Darnell and Associate dated April 3, 2008 and in accordance with the Mitigation Monitoring Program for the Venezia Supplement to the Mitigated Negative Declaration.
71. Bowker Road will ultimately need to be extended to include the bridge widen with an IID approved structural crossing to include the intersection at the Highway 98 with

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the All American Canal. The bridge crossing and highway combined alignment is approximately 350 feet in length by 126 feet in width on Bowker Road. Additionally, Hwy 98 widening to four lanes will be required on both sides. Bowker Road is the only existing primary ingress and egress access point; therefore, the ^{interim} mitigation measure for the Bowker Road and Hwy 98 intersection improvement with the modified geometric based on the PEER report submitted to Caltrans for review will need to be constructed all at the Developer's cost prior to the issuance of occupancy permit for the project. Additionally, ^{the developer shall pay or post security for} the fair share cost for the ultimate improvement as prepared shall be made prior to the recordation of any final map. Based on the location, need, and conditions of the project, a benefit area map and percent of the improvement cost (5.03%) has been identified in ^{for this} ~~in~~ _{ultimate improvement} area (See Table A).

Note: Benefit assessment cost percentage may vary subject to any deviation and changes base on public hearing and subsequent City Council action.

72. The approved TSM shall provide a street connection of 75 feet R/W (or width to conform with the south development) north-south street connection at approximately 1,000 feet west of the eastside tract boundary. The Design Engineer shall coordinate the design with the south boundary development (Prior CM Ranch layout) to insure compliance of the City's Street Circulation Element.

73. Hwy 98 widening (Andrade Ave to Cole Road) and Cole Road widening (Bowker Road to Hwy 98) shall be considered a part of the Corridor Benefit Assessment Areas.

- a. These two roadway corridors will be established as the Hwy 98 and Cole Road Corridor Benefit Assessment Areas as per Caltrans requirement and conditions.
- b. The fair share cost for the improvement has not been finalized and approved by the City Council. Based on the location, need, and conditions of the project, a benefit area map and percent of the improvement cost (5.03%) for Bowker Road has been identified in this area (See Table A).

Note: Benefit assessment cost percentage may vary subject to any deviation and changes base on public hearing and council action.

Other City Wide Street Circulation Impacts

74. Fair share cost (~~of no less than 5.03%~~ subject to percent of ADT) for roadway improvements will be determined as part of the MMP submitted with the project that may include but not be limited to the following:

- a. Rockwood Road / Cole Road Intersection realignment of the eastbound through lane.

- b. Rockwood Road/Cole Road intersection replacement of split signal phasing with actuated, left-turn phasing.
- c. Jasper Road widening (Bowker Road to SR 111) and Jasper Road/SR 111 signalization.
- d. Bowker Road widening from Jasper Road to Cole Road.
- e. Bowker Road widening from Cole Road to SR 98.
- f. Citywide traffic signal synchronization.
- g. SR 98 and Andrade (Meadows) Ave.
- h. SR 98 and Jade Ave.

Drainage Element Conditions

75. The drainage element for all development shall comply with the City's Existing Drainage Facilities as defined in Section 5 of the Proposed Drainage Service Area Plan (DSAP) Report requirement and any modification herein or the General Plan Update that is in progress. The Sub-Regional Retention Basin Concept for the City of Calexico's south-east area is identified along LaVigne Road at the south development area (Note: per prior CM Ranch Concept Map).
76. Integrate retention basin design with the City's master plan of retention basins to accompany the Sub-Regional Retention Basin Concept. Pay all costs as identified in the current DSAP including the amount of land require off-site in fair market value determination. Additionally, this will be maintained and setup of a Community Facility District (CFD) and other financing mechanism/entity.
77. In the event that this subdivision proceeds before the regional retention basin proposed in the City's Drainage Master Plan is in service the developer will be responsible to construct a temporary retention to serve the subdivision according to the current City design standards and criteria prior to the issuance of the certificate of occupancy and/or City acceptance. The developer will be responsible to construct a temporary connection into the existing Imperial Irrigation Drain along the All American Canal. Developer shall contribute fair share basis ~~no less than 5.03%~~ (subject to capacity and runoff criteria determination, or as determined per the SAP) of special infrastructural fees toward regional retention basin.
78. Submit a master plan of hydrology and drainage map for review and approval prior to the submittal of the phase 1 unit map and improvement plans.

Sewer Element Conditions

79. The off-site trunk sewer line and the Regional Pump Station that the development connects at Bowker Road will provide the sewer services at the east side of E. Rivera and south of the All American Canal developments. In the event that the subdivision proceeds ahead before the Regional Pump Station and off-site sewer line proposed along Bowker Road are built, the City will allow the development to provide sewer

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services to the subject subdivision via the existing Andrade Sewer Pump Station gravity line at Hwy 98 and Andrade Ave. The developer shall construct all the improvements required including but not limited to a new sewer pump station within the subject subdivision and a sewer main to convey the sewer flows generated by the subdivision that will run South along Bowker Road and West on LaVigne Road and Highway 98 (Southern side) and the connection into existing gravity line near the Andrade sewer lift station). Coordinate with the City for the exact layout and connection requirement. The sewer facilities must be in operation prior to the issuance of any certificate of occupancy.

80. Prepare a sewer master plan that is in accordance with the City's master sewer plan and to ascertain that the in-tract gravity lines will be able to accommodate the sewer flows generated by the Venezia Subdivision. The Developer is required to construct all the necessary improvements to provide sewer services to the subdivision.

Water Element Conditions

81. The City is currently in the process of constructing its Phase III water master plan at the eastside. The developer shall be responsible in making the necessary waterline connection running north at Bowker Road, and will need to be incorporated into the Bowker Road project; however, a second waterline loop will be required at the eastside street tract boundary.
82. Prepare a water master plan (in-tract water line layout and hydraulic calculations) that integrates with the City's Phase III and the south development water master plan to insure compliance of the City's current water master plan.
83. Provide a second connection of proper size at the eastside to form a loop connection for the water master plan as stated above.
84. In order to provide water to the proposed development before the 30-inch(or size as modified in subsequent study report) diameter water main proposed for Bowker Road is built, the Developer will be responsible to prepare a detailed water study to evaluate the alternative to connect into the existing municipal water distribution system as follows:
 - a. Connect to the North of the development to the existing 12-inch diameter water line along Bowker Road near the northern side of Highway 98,
 - b. Connect to the West of the Development; via the construction of a water line that will loop the proposed water distribution system for the project to the existing 12-inch diameter water line along E. Rivera Avenue.
 - c. The detailed water study shall identify all the improvements required to provide adequate water pressure and redundancy to the subject subdivision.

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The Developer will be responsible to built all the required improvements. Once the proposed water line along Bowker Road is built, the developer will be responsible to fund and/or built the connections to the proposed 30-inch diameter water line.

Community Facility District (CFD)-Prior Recordation of any Final Map.

85. A cost participation for the regional infrastructure program (i.e. the East Calexico Facilities Area II Improvement) will be required. This program is being addressed by the City's consultant on the current City's development that will included but not limited to: off-site streets, bridges at La Vigne Road and Bowker Road at the All American Canal, sewer distribution line and lift station, water, regional retention basins, and storm drain systems, etc. Developer shall participate and pay the fair share cost contribution.
86. A maintenance and operation CFD of the Sub-Regional Retention Basin for drainage will also be required.

Fees

87. Pay all applicable fees (i.e. City's Standard Impact Fees, Special Infrastructure Fees, Benefit Assessment Fees, Plan Check and Inspection Fees, etc.) prior to recordation of any final maps, pulling of permits, and/or certificate of occupancy as per the City's standard and conditions. In the case of the Bowker Road and Hwy 98 improvement per Caltrans conditions and requirement for Phase 1 (Interim) and Phase 2 (Ultimate Widen Improvement), the Developer shall deposit into the City in accordance with the MMP for the necessary funds as determined by the Director of Planning and Development Services for the development of the Memorandum Of Understanding (MOU), Project Study Report (PSR), and Design and Administration fees) prior to approval of any final map for recordation and/or approval of any in-tract improvement plans.

Other Pertinent Conditions

88. The Bowker Road/Hwy 98 proposed signalized intersection is a capital improvement project pursuant to the City of Calexico street infrastructure plan. The developer shall agree to fund all the Phase 1 improvement and participate in the construction and pay a "fair share" basis (no less than 5.03%) of the ultimate widening plan.
89. Notwithstanding anything else in these conditions, if any improvements (including without limitation in relation to streets, water, sewer, or any other facilities or utilities) required to be constructed or paid for by the project are in excess of the fair share portion of such improvements for which the project is responsible, as identified in these Conditions of Approval, the project mitigation monitoring program of the CEQA document or otherwise, the project shall be eligible for reimbursement of the costs of such excess and the developer shall only be required to construct and install improvements as proposed contingent upon the City's agreement to enter into a re-imbursement agreement for funding in excess of fair share participation. Further, with respect to any payments for which the developer may post security under these Conditions of Approval, the project

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~~mitigation monitoring program of the CEQA document or otherwise, the developer may make the payments to replace such security at the time of the issuance of building permits for any dwelling unit or other structure, on a pro rata basis. The developer shall construct and install improvements as proposed contingent upon the City's agreement to enter into a re-imbursement agreement for funding in excess of fair share participation.~~

90. The developer agrees to participate on a "fair share" basis for the construction of widening and signalization improvements for Jade Avenue/SR 98 when warranted by Caltrans in the future development of the commercial parcel which will be based on ADT trips in accordance with the MMP.
91. The applicant/developer will be responsible for widening of SR-98 to four lanes and additional channelization within the boundaries of the proposed project subdivision area. The Caltrans Transportation Concept Report (TCR) for SR-98 calls for an ultimate 6 lane conventional highway and widening for a total width of 172' (86' half-width) in this area. The ultimate configuration would require some Right of Way (R/W) acquisition along the frontage of this property (to be determined based upon existing State R/W in the vicinity).
92. Upon annexation, the applicant/developer shall obtain from the City of Calexico an Irrevocable Offer of Dedication (IOD) and slope rights/drainage easement in order to accomplish preserving this R/W referred in conditions No. 91 above.
93. No development improvements, including landscaping and other easements shall be located within the R/W IOD referred in conditions No. 91 above.
94. Any work performed within Caltrans R/W will require an encroachment permit referred in conditions No. 91 above.
95. The developer shall be responsible for procuring any necessary permits or approvals from regulatory and/or resource agencies.
96. Provide utilities, conduits, and other telecommunications facilities (i.e. cable, fiber optic, etc.) from point "A" to any such facility as determined and approved by the Imperial Valley Telecommunications Authority Manager and to the satisfaction of the Director of Development Services/City Engineer.
97. Comply with City's Design Procedures and Improvement Standards as updated on December 1, 2005 Design Manual and any subsequent modifications thereon.

SECTION 4: CONDITONS FOR RECORDATION OF FINAL MAP

98. Final map shall not be approved until developer and city have entered into an agreement, which provides for traffic facilities, emergency services, water and sewer services, and area drainage, and other services specified as needed.

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99. Approval is given subject to compliance of final map and improvement drawings with all applicable zoning and subdivision ordinance of the City of Calexico.
100. The necessary improvements as set forth in the approval of the tentative tract/parcel map have been installed and accepted by the city, or provided the subdivider submits satisfactory improvement plans together with the necessary guarantee that the improvements shall be installed.
101. Guarantee for installation of improvements shown on recorded final map shall be by surety bond or letter of credit. Use of real property lien, as guarantee for installation of improvements shown on recorded final map shall be in accordance of city policy and procedure.
102. The required plan and map checking and inspection fees must be paid to all affected divisions/departments/agencies.
103. Checking has been completed by the various departments and agencies.
104. Taxes, liens and special assessments have been paid or such payment is guaranteed.
105. All applicable conditions and compliance are met with the city standards updated December 1, 2005 and all subsequent modifications and revisions thereon.

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106. -

TABLE "A"
Fair Share Percentage Cost Distribution

Note: Percentage of cost derivation based on ADT from the surrounding development projects

Area #	Description	Acreage	Type of Use	ADT	% of Total ADT
1b	Santa Fe Subdivision	225.13	per traffic study	18,528	7.67%
1c	Area Bounded by Jasper, Bowker, Cole and Meloland	480	Assume 10% Commercial, 60% Residential (25 units/acre), 30% Single-Family Residential (6 units/acre)	67,309	27.87%
1f	Area Bounded by Bowker & Central Main Canal	28.66	Industrial	1,809	0.75%
1g	Area Bounded by Bowker & Hwy 98	18.49	Industrial	1,167	0.48%
1h	Area Bounded by Hwy 98, Central Main Canal & All American Canal	36.75	Industrial	2,319	0.96%
1i	Venezia Subdivision	76.58	per traffic study	12,140	5.03%
1j	Tierrasanta Unit 2 (Commercial)	12.90	per traffic study	7,248	3.00%
1k	Tierrasanta South	16.70	Assume Multi-Family Residential (25 units per acre)	4,000	1.66%
1m	CM Ranch Subdivision IIA	346.60	Assume 10% Commercial, 20% Multi-Family Residential (25 units/acre), 70% Single-Family Residential (6 units/acre)	52,352	21.68%
1n	CM Ranch Subdivision IIB	193.20	Assume 20% Residential (25 units/acre) 80% Residential (6 units/acre)	18,120	7.50%
1l	CM Ranch Subdivision	702.00	per traffic study	56,538	23.40%
Total Acreage		2,718.01	Total Daily Project Trips	241,522	100.00%

NOW, THEREFORE, based on the above findings, the Planning Commission of the City of Calexico DOES HEREBY RECOMMEND that the City Council of the City of Calexico approve Amended Venezia Tentative Subdivision Map.

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Chairman
Calexico Planning Commission

I hereby certify that the preceding resolution was adopted by the Planning Commission at a meeting conducted on September 22, 2008 by the following vote:

AYES: Commissioners:

NOES: Commissioners:

ABSENT: Commissioners:

ABSTAIN: Commissioners:

ATTEST:

Armando G. Villa, Development Services Director
Secretary to the Planning Commission